

reintegration assistance was available for an additional 12 months. Male victims were accommodated in separate shelters run by NGOs, though space was limited. Child trafficking victims received an automatic residence permit until they reached 18 and were accommodated in generalized children's centers; specialized services and shelters for child trafficking victims did not exist. Experts criticized disparate levels of assistance across the country. Referral processes varied from region to region and were based on memoranda of understanding signed between local police and NGOs. According to NGOs, trafficking victims amongst irregular migrants, asylum seekers, and unaccompanied children went unidentified due to inconsistent application of identification criteria by officials. Under Italian law, victims were not punished if they were forced to commit a criminal offense as a result of being subjected to trafficking; however, there were reports some victims were charged with immigration-related crimes.

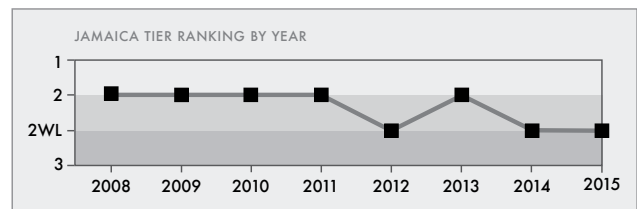
PREVENTION

The government sustained limited trafficking prevention efforts. The government did not finalize its first national anti-trafficking action plan, despite a March 2014 legislative decree requiring it to do so. It also did not implement any nationwide public awareness campaigns. The government lacked a national anti-trafficking coordinator, and there was no national rapporteur to conduct independent evaluations of anti-trafficking efforts. The government's hotline for victims of trafficking received over 4,000 calls for information in 2014, of which 769 were directly related to trafficking. Local authorities and NGOs continued to distribute brochures, posters, bumper stickers, and media advertisements providing information on victim assistance. The government coordinated an interagency working group to generate guidelines for victim identification and referral as part of the creation of the national plan. The government made efforts to reduce the demand for commercial sex acts and forced labor. The government provided anti-trafficking training to Italian troops prior to their deployment abroad as part of international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

JAMAICA: Tier 2 Watch List

Jamaica is a source and destination country for adults and children subjected to sex trafficking and forced labor. Sex trafficking of Jamaican women and children reportedly occurs on streets and in night clubs, bars, massage parlors, and private homes, including in resort towns. Jamaican citizens have been subjected to sex trafficking and forced labor abroad, including in other Caribbean countries, Canada, the United States, and the United Kingdom. Communities vulnerable to sex trafficking and forced labor include residents of Jamaica's poverty-stricken areas ruled by criminal "dons," who remain effectively outside of the government's control, and workers in the informal sector, particularly on family farms and in markets and shops. A high number of children are reported missing in Jamaica; some of these children are likely subjected to forced labor or sex trafficking. Foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. NGOs and other local observers report child sex tourism is a problem in Jamaica's resort areas. Jamaican police officers may be complicit in prostitution rings, some of which are alleged to recruit children and coerce adults into the sex trade.

The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2014, the government made substantive efforts to raise public awareness of human trafficking. The government also named a national trafficking in persons rapporteur, the first such appointment in the region, who will report directly to Parliament. The director of public prosecution successfully concluded a trafficking case at the Supreme Court. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Jamaica is placed on Tier 2 Watch List. For the sixth consecutive year, the government did not convict any traffickers, including officials complicit in human trafficking. While the government identified more Jamaican adult trafficking victims than in the previous reporting period, it only identified one child victim compared with the high number of children vulnerable to both sex trafficking and forced labor.



RECOMMENDATIONS FOR JAMAICA:

Vigorously prosecute, convict, and punish traffickers, including any officials complicit in sex or labor trafficking; identify and assist more victims of forced labor and sex trafficking, including prostituted Jamaican children; develop a new, comprehensive national action plan with adequate funding dedicated to implement the plan; fully implement government-wide standard operating procedures to guide police, labor inspectors, child welfare officials, and health workers in the proactive identification of local and foreign victims of forced labor and sex trafficking, including children under age 18 in prostitution in night clubs, bars, and massage parlors; develop and implement standards for shelter and trafficking victim care designed to move victims toward self-sufficiency; provide the necessary authority and support to the newly appointed national rapporteur on trafficking in persons to carry out the mandate to investigate reports of human trafficking, report on violations of the rights of victims, and provide an annual report to the government; and continue efforts to raise awareness about human trafficking of Jamaican citizens and foreign nationals.

PROSECUTION

The government did not secure any trafficking convictions; however, it successfully concluded a trafficking trial at the Supreme Court, which resulted in a hung jury, and continued to pursue 13 trafficking cases in the court system. The government prohibits all forms of trafficking through its comprehensive Trafficking in Persons (Prevention, Suppression, and Punishment) Act. Maximum sentences for trafficking crimes range from 20 years' imprisonment for trafficking in persons and conspiracy to commit trafficking to 30 years' imprisonment for aggravated trafficking in persons. In April 2014, officials enacted the Criminal Justice Act, which may be used to prosecute traffickers who are members of a "criminal organization" with penalties of five to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes.

Jamaica's laws against human trafficking are sufficient; however, the government has not convicted any traffickers in the previous six years. Chronic delays in the justice system seriously impeded trafficking and other violent crime prosecutions. The Ministry of Justice is undertaking a judicial reform program to improve efficiency. Authorities reportedly initiated 38 new trafficking investigations, compared with 27 in 2013, leading to the arrest of five individuals for suspected sex trafficking crimes in 2014. Prosecutors initiated prosecutions of five individuals in 2014, including a former government official, for violations of the anti-trafficking law, compared with four prosecutions initiated in 2013. The government continued 10 trafficking prosecutions from previous reporting periods including seven sex trafficking, two forced labor, and one domestic servitude prosecution. In one of these cases, the case was delayed because of the need to appoint legal counsel for the suspected trafficker. Authorities reported no new investigations or any convictions of government officials for alleged complicity in trafficking-related offenses. The Jamaican police, in collaboration with Bahamian counterparts, oversaw the investigation that led to the successful prosecution and 2014 conviction in The Bahamas of a Jamaican national for sex trafficking. The government funded and provided trafficking training for 168 police officers, judges, and magistrates.

PROTECTION

The government sustained efforts to protect identified victims. Authorities identified 20 potential sex trafficking victims in 2014, including four confirmed victims—three adult females and one female child—and 16 suspected victims, all adult females. In comparison, authorities identified 14 suspected victims of trafficking in 2013. Eleven of the suspected victims were Jamaican and nine were foreign nationals from Colombia, Guyana, and Suriname. Police developed a standard operating procedure on victim identification available by intranet at the national police college. The children's registry continued to use a standard procedure to receive reports and referrals concerning violence against children and trafficking victims, and immigration officials continued to use a procedure to screen and conduct risk assessments of potential victims. Although the government offered protection to all confirmed and suspected victims, few victims were identified relative to the size of the vulnerable population.

All 20 confirmed and suspected victims were referred to government and NGO care facilities and received medical services, psychological services, and financial assistance for basic necessities. The foreign national victims from Colombia, Guyana, and Suriname were later voluntarily repatriated to their home countries. The government's trafficking shelter, which could house 12 people, continued to assist only one person—a domestic servitude victim who recently turned 18 and has lived in the shelter for two years. The victim did not attend school, but was provided guided instruction through a web-based curriculum commonly used in Jamaican schools; she left the shelter infrequently and reportedly with a chaperone for her safety. Other government-supported shelters did not allow victims to leave at will or without a chaperone. Authorities provided 3,400,000 Jamaican dollars (\$29,500) in funding for the government shelter in 2014. In accordance with Jamaica's anti-trafficking law, the government provided official guidance for immigration authorities not to deport foreign victims. Authorities did not provide immigration relief to any foreign victims, all of whom chose to be repatriated, compared with one foreign victim out of 14 potential victims in 2013 and 21 foreign victims out of 23 potential victims during

2012. There were no reports of the government inappropriately punishing victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government increased efforts to prevent human trafficking, in contrast with previous years. Jamaica had a national anti-trafficking plan through 2015. The cabinet appointed the Jamaican children's advocate as the national rapporteur on trafficking in persons in order to investigate reports of trafficking, report on violations of the rights of victims, and provide an annual report to the government. The government funded public service announcements, which aired via television, radio, and cinema messages from February to April 2015. Officials published an anti-trafficking curriculum for secondary school students to raise awareness. The national anti-trafficking taskforce delivered presentations and pamphlets about trafficking to students, educators, and the public at a university, schools, churches, and events across the country; and also to 245 health workers in three parishes. The labor ministry educated Jamaican workers set to work in a foreign seasonal agricultural program about the risks of trafficking prior to their departure between January and October each year. The taskforce educated members of the tourism industry in major resort areas to encourage reporting of suspected sex tourism. The government provided anti-trafficking training to some diplomatic personnel. Although raids were conducted in popular resort areas, the government did not report any child sex tourism investigations, prosecutions, or convictions, nor were there efforts to reduce the demand for commercial sex acts, child sex tourism, or forced labor.

JAPAN: Tier 2

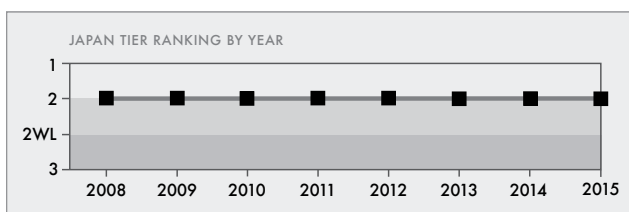
Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking. Male and female migrant workers, mainly from Asia, are subjected to conditions of forced labor, including through the government's Industrial Trainee and Technical Internship Program (TITP). Some men, women, and children from East Asia, Southeast Asia (mainly the Philippines and Thailand), South America, Africa, Eastern Europe, Russia, and Central America travel to Japan for employment or fraudulent marriage and are subjected to sex trafficking. Traffickers use fraudulent marriages between foreign women and Japanese men to facilitate the entry of women into Japan for forced prostitution in bars, clubs, brothels, and massage parlors. Traffickers strictly control the movement of victims using debt bondage, threats of violence or deportation, blackmail, and other coercive psychological methods. Victims of forced prostitution sometimes face debts upon commencement of their contracts. Most are required to pay employers fees for living expenses, medical care, and other necessities, leaving them predisposed to debt bondage. "Fines" for alleged misbehavior are added to victims' original debt, and the process brothel operators use to calculate these debts is typically not transparent. Trafficking victims transit Japan between East Asia and North America.

Japanese nationals, particularly runaway teenage girls and children of foreign and Japanese citizens who have acquired nationality, are also subjected to sex trafficking. The phenomenon of *enjo kosai*, also known as "compensated dating" and variants of the "JK business" (JK stands for *joshi-kosei* or high school girl) continue to facilitate

the prostitution of Japanese children. Sophisticated and organized prostitution networks target vulnerable Japanese women and girls—often in poverty or with mental and intellectual disabilities—in public areas such as subways, popular youth hangouts, schools, and online; some of these women and girls become trafficking victims. Japanese men continue to be a significant source of demand for child sex tourism in Southeast Asia and, to a lesser extent, Mongolia.

Cases of forced labor occur within TITP, a government-run program that was originally designed to foster basic industrial skills and techniques among foreign workers, but has instead become a guest worker program. During the “internship,” many migrant workers are placed in jobs that do not teach or develop technical skills—the original intention of the TITP; some of these workers continued to experience conditions of forced labor. The majority of technical interns are Chinese and Vietnamese nationals, some of whom pay up to \$10,000 for jobs and are employed under contracts that mandate forfeiture of the equivalent of thousands of dollars if workers try to leave. Reports continue of excessive fees, deposits, and “punishment” contracts under this program. Some employers confiscate trainees’ passports and other personal identification documents and control the movements of interns to prevent their escape or communication with persons outside the program.

The Government of Japan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government conducted a comprehensive review of TITP and submitted a reform bill to the Diet that establishes a third-party management audit body with the capacity to punish perpetrators of forced labor and improves redress mechanisms for migrant workers. It also issued a revised national plan of action and established a minister-level committee to implement the plan. The government, however, did not develop or enact legislation that would fill key gaps in the law and thereby facilitate prosecutions of trafficking crimes. The government did not prosecute or convict forced labor perpetrators despite allegations of labor trafficking in the TITP, and the overall numbers of prosecutions and convictions decreased since 2013. The government did not develop specific protection and assistance measures for trafficking victims, such as establishing a nationwide network of shelters exclusively for trafficking victims apart from the existing network of shelters for victims of domestic violence. The government did not accede to the 2000 UN TIP Protocol.



RECOMMENDATIONS FOR JAPAN:

Draft and enact a comprehensive anti-trafficking law prohibiting all forms of trafficking consistent with the 2000 UN TIP Protocol; significantly increase efforts to investigate and prosecute forced labor cases and punish convicted traffickers with jail time; enact the TITP reform bill; increase enforcement of bans on excessive deposits, “punishment” agreements, withholding of passports, and other practices that contribute to forced labor in the TITP;

implement the newly expanded victim identification procedures for front-line officers to recognize both male and female victims of forced labor or sex trafficking; enhance screening of victims to ensure potential victims of trafficking are not detained or forcibly deported for unlawful acts committed as a direct result of being subjected to trafficking; set aside resources to provide specialized care and assistance to trafficking victims, including designated shelters for trafficking victims; aggressively investigate, prosecute, convict, and punish Japanese nationals who engage in child sex tourism; and accede to the 2000 UN Transnational Organized Crime Convention and the TIP Protocol.

PROSECUTION

The government decreased anti-trafficking prosecution efforts. Japan’s criminal code does not prohibit all forms of trafficking in persons, as defined by international law, and the government relies on various provisions of laws relating to prostitution, abduction, child welfare, and employment to prosecute trafficking in persons crimes. Articles 7 through 12 of the 1956 Prostitution Prevention Law prohibit prostitution-related crimes, including forced prostitution. Articles 225 through 227 of the 1907 Penal Code prohibit abduction by force or deception for various purposes (including for “profit” and “indecent”) and the buying or selling of human beings. Those provisions also criminalize delivering, receiving, transporting, or hiding—but not recruiting—a person for those purposes. The 1947 Employment Security Act makes it a crime for a person to engage in labor recruitment “by means of violence, intimidation, confinement, or other unjust restraint on mental or physical freedom” or to recruit laborers for “work harmful to public health or morals.” The government reports it relies on that law to prosecute forced labor, including sex trafficking. In addition, Japan’s 1947 Child Welfare Act broadly criminalizes harming a child—to include causing a child to commit an obscene act or an act harmful to the child—which has reportedly been the basis for prosecuting a defendant for subjecting a child to prostitution. However, the Child Welfare Act does not appear to cover all forms of child sex trafficking, as it does not reach the recruitment, transport, transfer, or receipt of a child for the purpose of prostitution. Articles 225 and 226 provide a 10-year maximum penalty for abducting by force or deception and for buying a person for the purpose of profit or indecency, which is sufficiently stringent and generally commensurate with penalties prescribed for other serious crimes, such as rape. However, transporting a person across international borders as part of those crimes of abduction and buying and selling a person to be abducted, bought, or sold is a lesser crime subject to a two-year maximum penalty. Other crimes relied on by Japanese prosecutors to prosecute trafficking offenses also carry insufficiently stringent penalties. An offender who prostitutes a child and is convicted of endangering a child’s welfare by “causing the child to commit an act making an impact that is mentally or physically harmful to the child” could be punished only with the payment of a fine, as the penalty is a maximum of three years’ imprisonment, a fine of the equivalent of one million yen (\$8,000), or both. Similarly, to the extent the Employment Security Act criminalizes the recruitment prong of forced labor, the allowed maximum punishment of a minimum fine of 200,000 yen (\$1,700) is insufficiently stringent. In addition, some forms of forced prostitution are punishable by a maximum of three years’ imprisonment or a fine. Others are subject to five years’ imprisonment without the alternative of a fine.

The government reported two prosecutions and one conviction under the trafficking provisions of its criminal code; otherwise

it utilized other nontrafficking provisions to prosecute possible trafficking crimes. The government investigated 32 cases for offenses related to human trafficking, compared with 28 in 2013, and convicted 17 sex traffickers, compared with 31 in 2013. Of the 17 convicted traffickers, five received prison sentences, eight received suspended sentences, and four received fines. Despite numerous reports and allegations of possible labor trafficking offenses under the TITP, including confiscation of passports, imposition of exorbitant fines, and arbitrary deduction of salaries resulting from non-contractual infractions, the government did not prosecute or convict traffickers involved in the use of TITP labor. The government reported investigating 661 cases of child prostitution; 507 resulted in prosecutions, compared with 709 in 2013. It was unclear how many resulted in convictions and how many of the cases involved child sex trafficking. The National Police Agency (NPA), Ministry of Justice (MOJ), Bureau of Immigration, and Public Prosecutor's office continued to conduct numerous anti-trafficking trainings for senior investigators and police officers, prosecutors, judges, and immigration bureau officers on identifying victims and investigating trafficking cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government's protection efforts continued to be hampered by a narrow definition of human trafficking. The government has never identified a forced labor victim in the TITP, despite substantial evidence of trafficking indicators, including debt bondage, passport confiscation, and confinement. NPA officials identified 25 female sex trafficking victims, compared with 21 in 2013. Seven of the 12 Japanese nationals identified were children. The police reported identifying 464 victims of child prostitution. The government reported providing psychological counseling and medical care to victims of child prostitution. The government continued to lack trafficking victim-specific services, but funded Japan's Women's Consulting Center (WCC) shelters and domestic violence shelters, which assisted five of the trafficking victims. Other victims were assisted in NGO shelters or returned to their homes. WCC shelters provided food, basic needs, psychological care, and coverage of medical expenses, and allowed the victims to leave the facilities when accompanied by facility personnel. Japan continued to lack dedicated shelters or clearly defined resources for male victims.

NPA officials used an IOM-developed handbook and the Inter-Ministerial Liaison Committee's manuals to identify victims and refer victims to available services. In 2014, a law enforcement task force developed a new anti-trafficking manual for frontline officers. Some victims were reluctant to seek government assistance due to the perception of a lack of protective services available to identified victims. No assistance to victims of forced labor or abused "interns" in the TITP was reported, as the government did not screen for or identify victims among this vulnerable population. The government-funded Legal Support Center provided pro bono legal services to destitute victims of crime for both criminal and civil cases; for the third consecutive year, it was unclear whether any trafficking victims applied for or received such services. Although the law prohibits trafficking victims from being punished for crimes committed as a result of being subjected to trafficking, some women in prostitution detained during police raids and arrested migrant workers were fined or deported without being screened for indicators of trafficking. Temporary, long term, and permanent residency benefits were available to victims who feared returning to their home country; the government granted two

long-term residency visas. In most cases, however, foreign victims chose to return to their home country rather than stay through the lengthy investigation and trial period. Victims had the right to seek compensation from their traffickers, but no victim has ever sought restitution to date.

PREVENTION

The government increased efforts to prevent trafficking. It issued a revised national plan of action and established a ministerial-level committee chaired by the Chief Cabinet Secretary to oversee the implementation of the revised plan. The plan outlined efforts to reform the TITP, train frontline officers, and improve protection and assistance for trafficking victims. Authorities did not specify budget allocations or a time frame to implement the plan. As part of the plan's implementation, the government conducted a comprehensive review of the TITP and drafted a reform bill submitted to the Diet in March 2015. The reform bill establishes a third-party entity to conduct management audits, an oversight mechanism to hold perpetrators accountable for crimes of forced labor, and a redress mechanism for foreign migrants, and designates responsible ministries. The government continued to advertise the multilingual emergency contact hotline number at local immigration offices and governments of source countries, conduct online trafficking awareness campaigns, and publicize trafficking arrests to raise awareness. The MOJ banned 22 supervising organizations and 218 implementing organizations from receiving TITP interns in 2014. The Japan International Trade Cooperation Organization, a government entity designated to monitor the TITP, conducted employer visits and trainings, operated a hotline for TITP interns, and distributed the TITP workers' handbooks in six languages.

In an effort to reduce demand for commercial sex, the Cabinet Office continued to distribute posters, leaflets, and passport inserts nationwide with warning messages to potential consumers of sexual services. Japan is a source of demand for child sex tourism, with Japanese men traveling and engaging in commercial sexual exploitation of children in other Asian countries—particularly Thailand, Indonesia, Cambodia, the Philippines, and, to a lesser extent, Mongolia; the government did not investigate or prosecute anyone for child sex tourism. The NPA hosted a conference on commercial sexual exploitation of children in Southeast Asia in December 2014, during which officials shared case details with Thai, Cambodian, Philippine, and Indonesian police counterparts. The government provided anti-trafficking training for troops prior to their deployment abroad on international peacekeeping missions and for its diplomatic personnel. Japan is the only G-7 country that is not a party to the 2000 UN TIP Protocol.

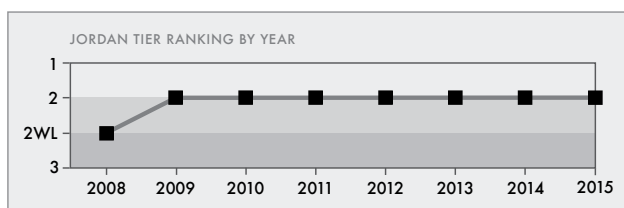
JORDAN: Tier 2

Jordan is a source, destination, and transit country for adults and children subjected to forced labor and, to a lesser extent, sex trafficking. Women from Southeast Asia and East Africa voluntarily migrate to Jordan for employment among the estimated 50,000 foreign domestic workers in the country; some domestic workers are subjected to forced labor. Many of these workers are unable to return to their home countries due to pending criminal charges against them or due to their inability to pay overstay penalties or plane fare home. Some migrant workers from Egypt—the largest source of foreign labor in Jordan—experience forced labor in the construction, service, and agricultural sectors. Syrians may face

forced labor in the agricultural sector; while some refugee children are subjected to the worst forms of child labor. Men and women from throughout Asia migrate to work in factories in Jordan's garment industry where some workers experience forced labor. Jordan's sponsorship system places a significant amount of power in the hands of employers and recruitment agencies, preventing workers from switching employers or receiving adequate access to legal recourse in response to abuse. Some Sri Lankan women engaged in prostitution in the country may be trafficking victims.

An increasing number of Syrian refugees—particularly women and children—work illegally and informally in the Jordanian economy, which puts them at risk of trafficking. There is a reported increase in Syrian refugee children working alongside their families in shops and marketplaces in cities and the agricultural sector, as well as peddling goods and begging. According to media reports, some Syrian refugee women and girls endure sex trafficking. In early 2014, an international organization reported a case of a Syrian woman whose Syrian husband forced her into prostitution in a nightclub in Jordan. Jordanian law enforcement, NGOs, and the media reported some instances of Syrian refugee women and girls being sold into “temporary” or forced marriages to Jordanians and men from the Gulf for the purpose of prostitution. Syrian, Lebanese, North African, and Eastern European women may be forced into prostitution after migrating to Jordan to work in restaurants and nightclubs; some Jordanian women working in nightclubs may also be forced into prostitution. Some out-of-status domestic workers from Indonesia, the Philippines, Bangladesh, and Sri Lanka are reportedly forced into prostitution after fleeing their employers. Jordanian children employed within the country as mechanics, agricultural laborers, and beggars may be victims of forced labor. There are reports of organized child begging rings involving Jordanian, Syrian, and Egyptian children. Some Jordanian girls are forced to drop out of school to perform domestic service in their families' homes.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government substantially increased efforts to prosecute and convict trafficking offenders, and continued to identify and refer to protection services an increased number of trafficking victims. Authorities also increased referrals of trafficking victims to a government-run shelter for gender-based violence (GBV) victims; as of early 2014, this shelter provided specific care for trafficking victims. Furthermore, in March 2015, the government completed construction of a shelter dedicated exclusively to trafficking victims, and was in the process of equipping and staffing the facility at the end of the reporting period; it was also in the process of drafting a national victim referral mechanism at the end of the reporting period. Though the government improved its law enforcement and victim identification and referral efforts, it did not systematically investigate potential cases of trafficking that involved withholding of passports and wages. Trafficking victims—particularly domestic workers who ran away from abusive employers—continued to face arrest and imprisonment.



RECOMMENDATIONS FOR JORDAN:

Continue to increase efforts to prosecute, convict, and punish trafficking offenses with adequate jail time under the anti-trafficking law; investigate and punish individuals for withholding workers' passports under Jordan's passport law; continue to proactively identify trafficking victims, particularly among vulnerable populations, such as detained foreign migrants, domestic workers, children and women in prostitution, and Syrian refugees; implement standardized referral procedures for authorities to promptly refer identified victims to protection services; make the newly constructed trafficking shelter fully operational, and adequately train staff to provide care specifically for trafficking victims at both the new trafficking shelter and the GBV shelter; ensure identified victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration or prostitution violations or escaping from an abusive employer; issue regulations governing work in the agricultural sector; and continue to implement anti-trafficking awareness campaigns.

PROSECUTION

The government significantly increased law enforcement efforts to combat all forms of trafficking, including those involving the most vulnerable populations. The 2009 anti-human trafficking law prohibits all forms of sex and labor trafficking and prescribes penalties of six months' to 10 years' imprisonment for forced prostitution, child trafficking, and trafficking of women and girls; these penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Penalties prescribed for labor trafficking offenses are not sufficiently stringent; offenses against adult male victims that do not involve aggravating circumstances are limited to a minimum of six months' imprisonment and a fine. Jordan's labor law assigns administrative penalties for labor violations committed against Jordanian or foreign workers, yet these penalties are not sufficiently stringent to deter the crime of human trafficking. The withholding of passports is a crime under Jordan's passport law, which prescribes six months' to three years' imprisonment, as well as financial penalties.

The Public Security Directorate (PSD) and Ministry of Labor (MOL) joint anti-trafficking unit increased its investigations of potential trafficking cases. In 2014, the joint anti-trafficking unit reported investigating 311 potential trafficking cases and referred for prosecution 53 cases involving 91 male and 24 female alleged trafficking offenders; this was a substantial increase from the 24 investigations and 17 prosecutions in 2013. Ten of these cases involved sex trafficking, nine involved alleged forced labor violations, and 34 involved exploitation of domestic workers. In December 2014, the joint unit investigated and referred for prosecution six suspects for forcing a 17-year-old Syrian refugee girl into 21 “temporary” marriages over a two-year time period—for the purpose of prostitution—to various men including those from the Gulf; she was also forced to undergo seven hymen reconstruction surgeries. The “marriage broker”, doctor, fake sharia judge, two witnesses, as well as the victim's mother *in absentia*, were charged under the anti-trafficking law and remained in detention at the end of the reporting period. The Ministry of Justice reported the government's conviction of 28 offenders under the anti-trafficking law in 2014—also marking a significant increase from two convictions in 2013. The penalties applied against the convicted trafficking offenders ranged from one to 10 years' temporary hard labor, three to six months' imprisonment, and financial fees.

The joint anti-trafficking unit settled 109 cases involving the

withholding of passports, nonpayment of wages, and restricted freedom. Though these cases involved conditions indicative of trafficking crimes, the government did not categorize them as such. NGOs and foreign embassy representatives reported the joint unit preferred to settle potential cases of domestic servitude through mediation, rather than referring them for criminal prosecution. Foreign embassy officials reported the government failed to investigate cases in which workers' wages had reportedly been withheld for at least five years. Despite reports employers continued to withhold garment workers' documents, authorities did not routinely investigate or prosecute employers in this sector for document withholding or criminal trafficking offenses. The government did not report any investigations or prosecutions of government employees for complicity in trafficking-related offenses. The joint anti-trafficking unit trained other law enforcement officials on trafficking during internal PSD workshops in 2014.

PROTECTION

The government continued to make progress in its efforts to proactively identify and protect trafficking victims. The government identified 121 female and 40 male victims in 2014; this represents an increase from 90 victims identified in the previous reporting period. The government referred 122 potential victims to a government-run shelter for GBV victims, a local NGO-operated shelter, and an international organization; this was a significant increase from 46 victim referrals in 2013. In March 2015, the government completed construction of a shelter solely dedicated to protecting trafficking victims; however, it was not operational and a designated budget was being developed cooperatively between the government and an international organization at the end of the reporting period. The government began development of a national victim referral mechanism; in the interim, it continued to shelter victims at a GBV facility and to refer victims to services. During the reporting period, the joint anti-trafficking unit agreed to regularly refer trafficking victims to a local NGO for legal aid; in December 2014, the unit referred five victims as a result of the agreement. In early 2014, the government officially expanded the mandate of a shelter for GBV victims to formalize its assistance to trafficking victims; it could house up to 50 female victims of violence and offered medical, psycho-social, educational, and legal assistance. The joint anti-trafficking unit referred 31 cases to the shelter during the reporting period and demonstrated professionalism and sensitivity when handling trafficking cases.

Foreign female domestic workers continued to seek refuge at their respective embassies, which provided shelters for hundreds of workers who fled abusive employers. Many of them were waiting for the return of their passports, back pay for unpaid salaries, or resolution of labor disputes or criminal charges. The government conducted outreach to foreign embassies and migrant workers, waived overstay fines to facilitate workers' departure from the country, and waived fees for renewing expired work permits during its March to May 2014 and February to April 2015 amnesty periods. Nonetheless, victims remained vulnerable to arrest and detention if found without valid residency documents and the government incarcerated some foreign domestic workers fleeing abusive employers after their employers or recruitment agencies filed false claims of theft against them. NGOs noted trained law enforcement officials did not always interview or screen foreign migrant workers in administrative detention or those charged with crimes as potential trafficking victims. The fining of foreign workers without valid residency documents—including identified trafficking victims—served as a strong disincentive for trafficking victims to

remain in Jordan and pursue legal action against traffickers. The government did not provide foreign victims with legal alternatives to their removal to countries where they might face hardship or retribution.

PREVENTION

The government continued efforts to prevent trafficking. The anti-trafficking committee met twice during the reporting period and its technical committee met 10 times. In April 2014, the anti-trafficking committee published a report documenting Jordan's anti-trafficking efforts from 2010 to 2014. The government continued to distribute anti-trafficking brochures to foreign migrants at border crossings, police stations, airports, and in the garment sector. The government did not report taking measures to reduce the demand for commercial sex acts or forced labor. The government did not provide specific anti-trafficking training or guidance for its diplomatic personnel. The Ministry of Foreign Affairs reported its finance department directly paid locally-hired domestic staff of Jordanian diplomats posted abroad, in accordance with labor laws and wage rates in the host country. The government did not provide specific anti-trafficking training for its peacekeepers before their deployment abroad.

The MOL employed 160 inspectors, up from 120 employed in 2013, responsible for enforcing the labor code. In 2014, the MOL conducted 88,208 labor inspections, found 24,034 labor violations, and recommended the closure of 8,112 workplaces, of which 2,095 were subsequently closed. The MOL inspected 60 recruitment agencies and closed two. A 2011 decree issued by the labor minister requiring employers to pay their domestic workers by direct deposit to a bank account was not fully implemented or enforced in 2014. In February 2015, the government published regulations governing domestic worker recruitment agencies, which would require employers to provide insurance for health and labor incidents, as well as "runaway insurance" as part of the contract for foreign domestic workers; should a worker not complete his or her contract, this "insurance" ensures an employer will be reimbursed the original recruitment fee paid to acquire a worker. The MOL continued to operate a hotline that received labor complaints and included interpretation services available in some source-country languages.

KAZAKHSTAN: Tier 2

Kazakhstan is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Domestic trafficking is a consistent problem, accounting for most identified victims. Kazakhstani women and girls are subjected to sex trafficking in the Middle East, Europe, and United States. Women and girls from neighboring Central Asian and Eastern European countries, as well as from rural areas in Kazakhstan, are subjected to sex trafficking in Kazakhstan; in most cases, traffickers target young girls and women, luring them with promises of employment as waitresses, models, or nannies in large cities. The relative economic prosperity in the government capital Astana, the financial capital Almaty, and the western oil cities Aktau and Atyrau, attract large numbers of Kazakhstanis from rural villages, some of whom become victims of labor trafficking and sexual exploitation. Chinese, Kazakhstani, and other Central Asian nationals, in particular Uzbekistani men and women, are subjected to conditions of forced labor in domestic service, construction,

and agriculture in Kazakhstan. Some children are forced to beg and others may be coerced into criminal behavior or pornography. Many victims indicate they were lured through fraud and deceit, sometimes by friends or acquaintances, and, at times, exploited by small organized criminal groups in Kazakhstan.

The Government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated its commitment to combating trafficking in persons by improving its anti-trafficking legislation, continuing its training of law enforcement officials, and investigating and prosecuting suspected police officers complicit in trafficking offenses. The government significantly increased its funding for victim assistance and continued its robust partnership with international organizations and NGOs to protect victims and raise awareness of trafficking crimes. However, victim identification, investigations, and convictions decreased. The government's long-term shelter capacity also remained insufficient and funding for awareness campaigns declined.



RECOMMENDATIONS FOR KAZAKHSTAN:

Continue to improve efforts to identify trafficking victims—particularly foreign forced labor victims—among vulnerable populations and refer these victims for assistance; increase efforts to vigorously investigate and prosecute suspected trafficking cases, respecting due process; continue to increase the number of government-funded trafficking shelters; refrain from deporting victims; provide legal alternatives to forced repatriation; train labor inspectors to better identify victims of forced labor and report potential trafficking cases to the police; continue to investigate and prosecute police officers suspected of corruption; develop the mechanism to provide longer-term shelter and rehabilitation to trafficking victims; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement or facilitation of trafficking crimes.

PROSECUTION

The government maintained progress in anti-trafficking law enforcement efforts. Kazakhstan prohibits all forms of sex and labor trafficking through Articles 128, 133, 125(3b), 126(3b), 270, and 132-1 of its penal code, prescribing penalties of up to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police investigated 82 trafficking cases in 2014, compared with 138 in 2013. Kazakhstani authorities completed 37 cases, resulting in 32 offenders convicted in 2014, a decrease from 43 convictions the previous year. Convicted offenders for sex and labor trafficking offenses received sentences ranging from one year of probation to 10 years' imprisonment. Two police officers were convicted for abusing their professional roles and facilitating illegal migration and pimping; the officers received a 3-year and 5-year prison sentence, respectively.

The government continued to provide a variety of specialized

training courses in the recognition, investigation, and prosecution of trafficking crimes for police, prosecutors, and judges and funded police participation in international anti-trafficking events. In 2014, the judicial institute conducted eight training sessions for 400 judges on the protection of trafficking victims during the criminal process. The Ministry of Internal Affairs (MVD) conducted five in-service training courses on victim identification and investigative techniques for 84 police officers, the migration police, community police, and school inspectors. During the reporting period, Kazakhstan jointly investigated 10 cases related to trafficking with other countries, including Uzbekistan and Tajikistan. The government continued to investigate police officials allegedly complicit in trafficking and related offenses, including a case in Mangystau Oblast where officials protected a brothel owner, previously convicted of trafficking. Experts noted a recent decrease in the number of trafficking cases related to pimping and brothel maintenance after the maximum penalty for this crime increased to 10 years' imprisonment and believe pimps are bribing low-ranking police officials to avoid such charges.

PROTECTION

The government continued its efforts to protect victims, but the availability of long-term care and standard operating procedures for assistance to foreign victims remained lacking. In 2014, the government identified 74 trafficking victims, a decrease from 122 victims identified in the previous year. Of those victims, 58 were victims of sex trafficking and 16 were victims of forced labor. All six foreign victims were from Central Asia, and 68 Kazakhstani victims from rural areas were subjected to internal trafficking.

Kazakhstan has four NGO-operated trafficking shelters, which provide legal, psychological, and medical assistance and are accessible to all trafficking victims, regardless of citizenship, gender, or age. However, NGOs report foreign victims sometimes experience difficulties in accessing local medical facilities due to a lack of health insurance or residency permits. The government allocated 6,475,000 Kazakhstani Tenge (KZT) (\$35,500), an increase from 4,625,000 KZT (\$25,400) in 2013, to one NGO-run shelter for trafficking victims in Astana, which assisted 39 victims in 2014; however, it had not yet developed a mechanism to provide long-term assistance beyond this shelter. The MVD allocated 2,127,500 KZT (\$11,700), an increase from 1,480,000 KZT (\$8,100) in 2013, for victim assistance during investigations. In 2014, civil society groups and government-funded programs assisted a total of 161 potential trafficking victims, an increase from 100 in the previous year; 73 of which were referred by the government and an additional 88 victims referred by international organizations, embassies, NGOs and self-referral. Of the total number of trafficking victims assisted, 59 were Kazakhstani and 102 were foreigners; 46 were victims of sexual exploitation and 115 of forced labor; 54 were female and 107 male.

To formally entitle trafficking victims to receive care under the Special Social Services law, the government expanded the law's definition of "victims of violence" to include trafficking victims. In January 2015, amendments to the penal procedural code, made in the previous reporting period, came into force, allowing for victims to seek compensation from a government fund. NGOs reported effective victim referral and police cooperation with anti-trafficking units assigned to each region. Law enforcement units mandated to address migration or trafficking issues have a formal system to guide officials in the proactive identification of trafficking victims among at-risk persons, such as undocumented

migrants or persons engaged in prostitution. The government encouraged victims to participate in investigations and prosecutions by providing witness protection during court proceedings, access to pre-trial shelter services, and basic provisions such as food, clothing, and medical and legal assistance. Foreign victims were provided with legal protection and special temporary residency throughout the duration of their criminal investigation; however, if an investigation was not initiated, victims could not be given protective status. The government did not offer legal alternatives to removal of foreign victims; all victims were forcibly repatriated after expiration of their temporary residency rights. There were no reports of trafficking victims being criminally punished in 2014.

PREVENTION

The government maintained modest prevention efforts, including efforts to educate children on potential dangers of human trafficking. MVD assumed leadership of the interagency Trafficking in Persons Working Group, now chaired by the minister; two meetings were held in 2014 with participation from multiple ministries, NGOs, and international organizations. Members of the working group drafted a national action plan for 2015-2017 and submitted it to the prime minister's office, where it remained awaiting approval at the close of the reporting period. The government continued to fund anti-trafficking information and education campaigns targeting potential victims of trafficking, including children. The Ministry of Culture and Information funded radio and television programs, as well as the publication of newspaper articles and web-publications, designed to prevent trafficking by raising public awareness. The government allocated approximately 7,492,500 KZT (\$41,100) to NGOs for prevention projects, which included advertisement of the police hotline, booklets with consular information for those traveling abroad, and anti-trafficking handouts. The government continued to provide in-kind contributions to an international organization program on demand reduction for commercial sexual acts, serving to facilitate engagement and discussion of school inspectors and child-protection officials with male students. The government did not take any actions to reduce the demand for forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

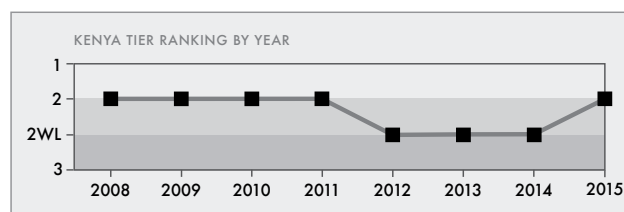
KENYA: Tier 2

Kenya is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within the country, children are forced to labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Children—both girls and boys—are also exploited in prostitution throughout Kenya, including in the coastal sex tourism industry; at times, their prostitution is facilitated by women in prostitution, “beach boys,” and sometimes family members. Children are exploited in prostitution by those working in sectors such as *khat* (a mild narcotic) cultivation areas, near Nyanza's gold mines, along the coast by truck drivers transporting stones from quarries, and by fishermen on Lake Victoria. Kenyans voluntarily migrate to other East African nations, South Sudan, Angola, Europe, the United States, and the Middle East—particularly Saudi Arabia and Oman—in search of employment, where at times they are exploited in domestic servitude, massage parlors and brothels, or forced manual labor. Gay and bisexual Kenyan men are lured from universities with promises of overseas jobs, but are forced into prostitution in Qatar and the United Arab Emirates (UAE).

Nairobi-based labor recruiters maintain networks in Uganda that recruit Rwandan and Ugandan workers through fraudulent offers of employment in the Middle East and Asia. Kenyan women are subjected to forced prostitution in Thailand by Ugandan and Nigerian traffickers.

Children from East Africa and South Sudan are subjected to forced labor and sex trafficking in Kenya; Kenyan children may endure similar exploitation in these countries. Kenya's largest refugee camp complex, Dadaab, hosts hundreds of thousands of refugees and asylum seekers, and the security situation limits some humanitarian access, assistance, and protective services. Some Somali refugees reported the presence of al-Shabaab recruiters; a 2012 survey by a local NGO found fear of recruitment, especially of children, into this armed group was a concern of a small percentage of respondents. Some children in Kenya-based refugee camps may endure sex trafficking, while others are taken from the camps and forced to work on tobacco farms. Trucks transporting goods from Kenya to Somalia returned to Kenya with young girls and women subsequently placed into brothels in Nairobi or Mombasa. Indian women recruited to work in *mujra* dance clubs in Nairobi face debt bondage, which they are forced to pay off by dancing and performing sex acts.

The Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. For the first time since it came into effect in October 2012, the government made robust efforts to implement the Counter-Trafficking in Persons Act. In August 2014, the government established the Counter-Trafficking in Persons Advisory Committee (advisory committee), as mandated by the act, which met regularly and updated Kenya's national action plan. The government reported prosecution of 65 trafficking cases, more than double than in the previous reporting period, and conviction of 33 traffickers, a significant increase from seven in 2013. In 2014, the government identified 658 child trafficking victims in 18 of Kenya's 47 counties. In September 2014, as an attempt to better regulate overseas labor recruitment, the government revoked all accredited certificates issued to private employment recruitment agencies. The Ministry of Labor (MOL) established a new process for agencies sourcing jobs abroad, requiring their approval of contracts in advance of workers' departure for employment overseas. The government identified at least 12 adult trafficking victims exploited overseas and assisted in their repatriation. Nonetheless, the government failed to provide adequate protective services to adult victims subjected to trafficking within the country or identified in situations of forced labor or prostitution overseas. In September 2014, the government passed the Victim Protection Act which improves support to trafficking victims, including the establishment of a fund. Government funding remained inadequate in light of Kenya's significant trafficking problem.



RECOMMENDATIONS FOR KENYA:

Continue using the Counter-Trafficking in Persons Act of 2010

to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including government officials suspected of complicity in human trafficking; continue to use the anti-trafficking law or Section 14 of the Sexual Offenses Act to prosecute and punish child sex tourists; provide additional training to all levels of the government, particularly first-line responders, on identifying and handling trafficking crimes; allocate adequate resources to police, labor, and social services staff to ensure implementation of the prosecution and protection mandates within the Counter-Trafficking in Persons Act of 2010; implement a formal process for law enforcement officials to refer trafficking victims for assistance; continue to increase oversight of and accountability for overseas recruitment agencies; increase protective services available to adult trafficking victims, particularly those identified in and returned from the Middle East; establish the board of trustees to oversee the National Assistance Trust Fund for Victims of Trafficking and allocate money to endow this fund; allocate resources to the victim assistance fund mandated by the Victim Protection Act; and develop a unified system to collect and analyze trafficking case data for use by all stakeholders.

PROSECUTION

The government demonstrated significant progress in anti-trafficking law enforcement efforts. Section 1 of the Counter-Trafficking in Persons Act of 2010, which came into force in September 2012, prohibits all forms of trafficking and Section 3(5) prescribes a sufficiently stringent minimum punishment of 15 years' imprisonment, which is commensurate with that of other serious crimes, such as rape. Sections 14, 15, and 17 of the Sexual Offenses Act of 2006 prohibit the facilitation of child sex tourism, child prostitution, and forced prostitution, and prescribe penalties of six to 20 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious offenses. However, prosecutors rarely pursue cases under these provisions of the act.

The government reported 65 prosecutions of trafficking offenses and 33 convictions during the reporting period. Seventeen cases remained pending at the end of the reporting period, while six cases were withdrawn, one case was pending arrest of the suspect, and one case ended in an acquittal. The government did not track efforts to investigate trafficking crimes during the reporting period, and did not establish a nation-wide data collection system to assist in these efforts.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking; however, corruption at all levels of the government remained a concern. During the reporting period, the government cooperated with foreign governments in the investigation of potential sex and labor trafficking crimes. In one case, the government arrested a Kenyan citizen who exploited minors in prostitution on the coast; the case remained pending trial at the end of the reporting period. The Department of Child Services (DCS), in partnership with international organizations and NGOs, provided training on the anti-trafficking act to 30 Kenyan security personnel operating in Mombasa, where the trafficking of children and child sexual exploitation remained an issue. During the reporting period, over 200 officials received anti-trafficking training. A considerable portion of the training received by government officials was initiated and funded by international organizations or foreign donors; training provided by the government during the reporting period remained insufficient in light of Kenya's

considerable human trafficking problem.

PROTECTION

The government increased efforts to protect child trafficking victims, but efforts to identify and assist adult victims remained weak. It identified at least 12 adult victims of forced labor exploitation overseas, in addition to 658 internal child trafficking victims; 555 had been exploited in forced labor; 39 had been sexually exploited, and the exploitation endured by the remaining 64 was unknown. DCS children's officers continued to participate in investigations, rescue child trafficking victims, and provide them with counseling and *ad hoc* referrals to service providers.

DCS and a local NGO continued to jointly operate a national 24-hour toll-free hotline for reporting cases of child trafficking, labor, and abuse. The hotline's main call center was located in a government-owned building in Nairobi. During the reporting period, the hotline received 46 reports of child trafficking, 26 of which reportedly included labor exploitation, 18 included sexual exploitation, and the remaining two were unknown. DCS continued to operate eight drop-in referral centers in Eldoret, Garissa, Malindi, Siaya, Kakamega, Nairobi, Nakuru, and Mombasa that provided counseling, guidance, and referrals to other centers for an unknown number of victimized children, including trafficking victims, who could not return to their homes. DCS also funded and operated four rescue centers in Garissa, Malindi, Thika, and Machakos where child victims of violence, including trafficking victims, could stay for three months before returning home or being referred to NGO facilities. One additional rescue center remained incomplete and was not operational by the end of the reporting period. The government did not provide data on how many trafficking victims were assisted in these centers during the year.

In September 2014, the government passed the Victim Protection Act, which improves support to trafficking victims including accommodation, food, medical treatment, psycho-social care, police protection, and the establishment of a fund; however, it is unclear what efforts officials made to begin implementation of these measures. While efforts to assist and care for child trafficking victims remained strong, the government provided relatively few services to adult trafficking victims identified within the country or abroad. Kenya's diplomatic missions made moderate efforts to assist Kenyan national trafficking victims. The government identified and provided repatriation assistance to 11 adult victims of forced labor in Angola; the government collaborated with the Angolan government on the investigation of the alleged trafficking network involved. Additionally, the Kenyan embassy in Muscat assisted with the repatriation of a Kenyan woman from Oman; however, the government failed to provide the victim any assistance upon her return to Kenya. Generally, the government lacked a unified system for providing access to medical aid, shelter, counseling, or financial assistance to adult nationals who were repatriated. Media reported those waiting to be repatriated slept on the floor of the embassy or in a shipping container and were provided inadequate food. The government confirmed the posting of one additional immigration officer to its embassies in the UAE and Saudi Arabia and expansion of consular services to address these concerns.

The government reported formal procedures were in place to encourage victims' cooperation in the investigation and prosecution of trafficking crimes; however, such procedures were not utilized during the reporting period. There were no

reports victims were detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to trafficking. The Department of Immigration developed the Kenyan Immigration Border Procedure Manual (KIBPM), setting out guidelines and procedures for immigration officials to identify traffickers and victims of trafficking, including mandatory actions for officials once a suspected case of trafficking is identified and a procedure for conducting interviews with victims to gather evidence on recruitment and exploitation of the victim. The government did not report whether the KIBPM was provided to all officials, including police officers. Under the 2010 anti-trafficking act, officials may grant permission for foreign trafficking victims to remain indefinitely in Kenya if it is believed they would face hardship or retribution upon repatriation; the government did not report using this provision during the reporting period.

PREVENTION

The government made increased efforts to prevent human trafficking. The government established the advisory committee in August 2014, as mandated under the 2010 anti-trafficking act. The committee met regularly during the reporting period and updated Kenya's national action plan. The government did not establish the National Assistance Trust Fund for Victims of Trafficking as mandated by the 2010 anti-trafficking act; however, it reported it was in the final stages of approval at the end of the reporting period. DCS disseminated awareness materials and case studies in efforts to educate local communities on potential indicators of trafficking. For instance, in June 2014 in Kilifi, a county known for child sex trafficking, officials raised awareness on this issue.

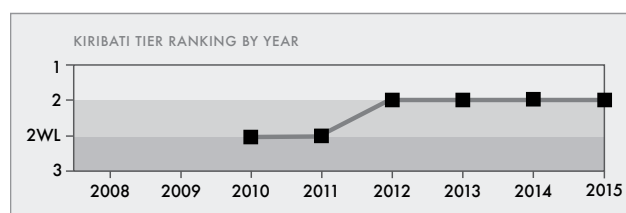
In October 2014, MOL formed a taskforce to review the existing framework for the management and regulation of recruitment agencies and assess its effectiveness in protecting Kenyans recruited for overseas employment; the taskforce did not release its recommendations by the end of the reporting period. In September 2014, the government revoked all of the accredited certificates issued to private employment recruitment agencies and reinstituted its ban on the recruitment of domestic workers for employment in the Middle East, increasing the likelihood nationals would migrate illegally and face heightened risks to human trafficking. MOL attempted to address efforts of adult trafficking victims in the Middle East by re-vetting 900 recruitment agencies. In September 2014, MOL established a new process for agencies sourcing jobs abroad in the hospitality and service sectors, requiring agencies to receive approval of all contracts by MOL prior to applicants signing the contracts and departing for employment. The contracts, if deemed credible, are required to be signed before a labor ministry officer, and applicants must register with the Kenyan embassy in the host country.

The government made efforts to reduce the demand for commercial sex acts by increasing searches and raids. The Ministry of Foreign Affairs (MFA) provided anti-trafficking training or guidance for its diplomatic personnel. According to media reports, the MFA appointed a team to review cases involving three diplomats accused of mistreating their domestic workers in the United States. The government's training for troops deployed overseas on international peacekeeping missions included a module on human rights, addressing human trafficking.

KIRIBATI: Tier 2

Kiribati is a source country for girls subjected to sex trafficking within the country. Visiting ship crew members, mainly Asian men, exploit children and some women in prostitution. A local NGO reported that as many as 20 I-Kiribati girls, some as young as 15, may be exploited in prostitution in local bars and hotels. Some I-Kiribati—including family members of potential victims, older women, and hotel and bar workers—may facilitate the exploitation of girls in sex trafficking by providing a venue for prostitution. Others fail to assist trafficking victims or alert authorities to situations of child prostitution. These girls generally receive financial support, food, alcohol, or goods in exchange for sexual services.

The Government of Kiribati does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, government officials continued to acknowledge the existence and gravity of child sexual exploitation, including trafficking, and expressed their commitment to combating the crime. Police conducted a two-day training to educate police officers and prosecutors on trafficking and partnered with an international organization on a campaign to reduce the demand for commercial sex. Overall, however, the government continued to be negligent, failing to employ procedures to proactively identify victims among girls in prostitution, provide assistance to any victims, or refer them to or support organizations that did so. The government did not prosecute cases against potential traffickers or punish those who exploited or facilitated the commercial sexual exploitation of children.



RECOMMENDATIONS FOR KIRIBATI:

Investigate and prosecute trafficking offenses, and convict and punish foreign crew members for the commercial sexual exploitation of children; develop procedures for law enforcement officers and social service providers to interview women and children intercepted *en route* to or aboard international vessels or at local bars and hotels for evidence of trafficking; establish formal procedures for the identification of trafficking victims and their subsequent referral to domestic violence and sexual violence officers for care; train front-line officers, including law enforcement, on victim identification techniques and procedures, and a victim-centered approach to facilitate increased trust between victims and officers; hold parents and guardians accountable, as appropriate under I-Kiribati law—including the 2013 Children, Young People and Family Welfare Act—for the prostitution of children; employ consistent and rehabilitative care for children who may be at-risk of trafficking; expand efforts to raise awareness about the dangers of human trafficking in locations where trafficking victims interact with clients, specifically aimed to increase public recognition that children in the commercial sex trade are trafficking victims rather than juvenile delinquents; and increase efforts to raise awareness to reduce the demand for commercial sex acts.

PROSECUTION

The government made limited law enforcement efforts to combat human trafficking. Kiribati's Measures to Combat Terrorism and Transnational Organized Crime Act, as amended in 2008, criminalizes certain forms of human trafficking, prescribing penalties of up to 15 years' imprisonment for the trafficking of adults and 20 years' imprisonment for the trafficking of children. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The law's focus is limited to the international movement of people for exploitation, a form of trafficking not known to occur in Kiribati. The government claimed internal trafficking could be prosecuted under this law; however, there are no reports to indicate it has ever been attempted. The government did not conduct any investigations in 2014, compared with two investigations conducted against foreign fishing vessel owners in 2013. In 2014, police conducted a two-day training for 22 police officers and a prosecutor on the legal definition of trafficking and the significance of victims' testimony in a prosecution. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government made no discernible efforts to protect trafficking victims, failing to identify or assist any victims in 2014. The government remained without procedures to proactively identify trafficking victims among vulnerable populations. Police may have encountered girls exploited by sex traffickers and clients in well-known meeting places, such as bars and hotels in Kiribati; however, government officials did not formally screen or identify any trafficking victims among them, nor provide them with any protective or rehabilitative services. The government reported victims could be referred to religious organizations to access medical and psychological services on an *ad hoc* basis; however, for the third consecutive year, it failed to refer any victims to such services or provide funding to these organizations. The Measures to Combat Terrorism and Transnational Organized Crime Act's victim protection provisions shield victims from prosecution for immigration crimes committed as a direct result of being subjected to trafficking; however, law enforcement efforts to combat prostitution potentially resulted in some trafficking victims being treated as law violators. Officials did not screen individuals detained for prostitution-related crimes to determine whether they were trafficking victims or verify their ages. The government did not develop or implement a referral process to transfer potential victims who are detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care. The Kiribati Immigration Ordinance gives the principal immigration officer the option to make exceptions or extensions to standard immigration rules in exigent circumstances, such as trafficking; given the lack of identified foreign victims, this provision remained unused.

PREVENTION

The government made limited efforts to prevent human trafficking. The Ministry of Internal and Social Affairs, in partnership with an international organization, continued to broadcast a radio show on child protection issues, including the commercial sexual exploitation of children. The Police Department's Domestic Violence and Sexual Offenses unit continued to operate two 24-hour hotlines for reporting exploitation and abuse, though no known allegations of human trafficking were received. The Kiribati

Police Force received child protection training from and worked with an international organization to develop a child-friendly community policing protocol, including a referral and counseling program for youth. While foreign fishing license regulations hold ship captains accountable for the presence of unauthorized persons, including girls and women, on their vessels, the enforcement of these regulations did not result in the prosecution of traffickers or protection of victims. The government lacks a national plan of action or a coordinating government agency to combat trafficking. The Ministry of Labor reported reviewing the contracts of all I-Kiribati going overseas and conducting pre-departure briefings to ensure that workers were aware of their rights and able to protect themselves from potential forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not make efforts to address child sex tourism in the country.

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF: Tier 3

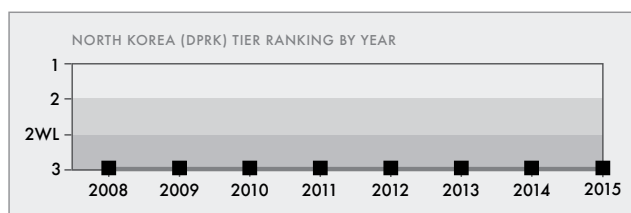
The Democratic People's Republic of Korea (DPRK or North Korea) is a source country for men, women, and children who are subjected to forced labor and sex trafficking. Forced labor is part of an established system of political repression. The government subjects its nationals to forced labor in prison camps in North Korea and through government-contracted labor in foreign countries. North Korea holds an estimated 80,000 to 120,000 prisoners in prison camps in remote areas of the country; in many cases these prisoners have not been prosecuted, convicted, or sentenced in a judicial proceeding. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Prisoners are subjected to unhygienic living conditions, beatings, a lack of medical care, and insufficient food; many do not survive. Furnaces and mass graves are used to dispose of the bodies of those who die in these camps.

Some estimates place the number of laborers working abroad at 50,000 and other estimates give even higher numbers. This number is difficult to confirm because of the places where these workers are located. The largest numbers of such workers are sent to Russia and China. North Korean contract workers also perform labor in Africa, Central Europe, the Middle East, and Central Asia. Credible reports show many North Korean workers under these contracts perform labor under conditions indicative of forced labor, such as working excessively long hours in hazardous temperature with no pay for up to three years. North Korean government "minders" monitor workers' movements and communications; they also confiscate passports and require workers to spy on each other. Thousands of workers are estimated to be employed in logging, construction, mining, garment, and agriculture industries, where they reportedly have only two days of rest per year; work between 12 to 16 hours a day, and face punishments if they fail to meet production targets. North Koreans sent overseas do not have a choice in the work the government assigns them and are not free to change jobs. They face threats of government reprisals against them or their relatives in North Korea if they attempt to escape or complain to outside parties. Reports show up to 90 percent of workers' salaries are appropriated and controlled by the North Korean government, which claims various "voluntary"

contributions to government endeavors. The Workers' Party, the ruling party in North Korea, sometimes requires workers to meet an unrealistic quota and threatens them if they fail to do so; this leads to workers working longer hours and seeking other jobs in the local community to meet the quota. Workers receive only a fraction of the money paid to the North Korean government for their labor, sometimes not until they return to the country.

The government's criminal justice system of harsh punishment through forced labor camps and its human rights abuses contribute to North Koreans being subjected to trafficking in neighboring China. Many of the North Korean women and girls who have fled and migrated illegally to China are especially vulnerable to trafficking, and traffickers reportedly lure, drug, detain, or kidnap some North Korean women upon their arrival. Others offer them jobs, but subsequently force the women into prostitution, domestic service, or agricultural work through forced marriages. According to one report, some women in the North Korean defector population are subjected to sexual slavery to Chinese or Korean-Chinese men, forced into prostitution in brothels or through internet sex sites, or compelled to serve as hostesses in nightclubs or karaoke bars. If found by Chinese authorities, victims are forcibly repatriated to North Korea where they are subjected to harsh punishment, possibly including forced labor in labor camps or the death penalty.

The Government of North Korea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government participated in human trafficking through its use of domestic forced labor camps and its provision of forced labor to foreign governments through bilateral contracts. It also failed to protect victims of trafficking when they were forcibly repatriated from China or other countries.



RECOMMENDATIONS FOR THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA:

End the use of forced labor in prison camps and among North Korean workers abroad; end punishments for victims who are forcibly repatriated from destination countries; improve the social, political, economic, and human rights conditions that render North Koreans vulnerable to trafficking in North Korea and in neighboring countries; criminalize human trafficking and recognize it as a distinct crime from human smuggling; investigate and prosecute trafficking cases, and convict trafficking offenders; provide assistance to trafficking victims in North Korea and to North Koreans repatriated from abroad; forge partnerships with international organizations and NGOs to combat human trafficking; establish transparent bilateral work contracts used to deploy North Korean laborers to neighboring countries; work with the international community to allow North Koreans to receive fair wages, choose their form of work, and leave their employment

at will; eliminate coercion tactics used to monitor the movements and communications of workers in forced labor; and become a party to the 2000 UN TIP Protocol.

PROSECUTION

The government made no known anti-trafficking law enforcement efforts. North Korea does not have laws that prohibit all forms of trafficking in persons. The government did not provide transparent law enforcement data, nor explain what provisions of North Korean law, if any, were used to prosecute trafficking offenses or protect victims. During the reporting period, there were no known investigations or prosecutions of trafficking offenses, or convictions of traffickers. The government did not report whether it provided any anti-trafficking training to its officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government made no efforts to protect trafficking victims, reporting no efforts to identify or assist victims. Government authorities failed to provide protective services to trafficking victims and did not permit NGOs to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being subjected to trafficking, and there was no screening of forcibly repatriated North Koreans to ascertain if they were trafficking victims. North Koreans forcibly repatriated by Chinese authorities, including women believed to be trafficking victims, were sent to prison camps, where they were subjected to forced labor, and possible torture and sexual abuse by prison guards. North Korean defectors reported instances of the government executing trafficking victims who had been repatriated from China. Article 30 of the criminal code partially suspends civil rights of prison camp inmates; government officials used this provision to abuse victims in prison camps.

PREVENTION

The government made no efforts to prevent trafficking. Government oppression in North Korea prompted many North Koreans to flee the country in ways that made them vulnerable to trafficking in destination countries. The government made no efforts to raise awareness of trafficking, train government officials on trafficking, or screen migrants along the border for signs of trafficking. North Korean authorities made no discernible efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. North Korea is not a party to the 2000 UN TIP Protocol.

KOREA, REPUBLIC OF: Tier I

The Republic of Korea (ROK or South Korea) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. South Korean women are subjected to forced prostitution in Korea and abroad, including in the United States, Canada, Japan, Australia, Hong Kong, Dubai, Taiwan, Macau, and Chile. South Korean women commonly enter destination countries on tourist, work, or student visas, and some are subsequently forced into prostitution in massage parlors, salons, bars, restaurants, or through internet-advertised escort services.

Some victims who owe debts to entertainment establishment owners or loan sharks are then forced into prostitution. Some disabled or intellectually disabled Korean men are forced to work in salt farms where they experience verbal and physical abuse, nonpayment of wages, long work hours, and poor working and living conditions. South Korean children are vulnerable to commercial sexual exploitation through online recruitment. In need of money for living expenses and shelter, some runaway girls are subjected to prostitution.

Men and women from China, North Korea, the Philippines, Vietnam, Indonesia, and other countries in Asia, the Middle East, and South America are subjected to forced labor in South Korea; some women from these regions are subjected to forced prostitution. Migrant workers, especially those from Vietnam, China, and Indonesia, can incur thousands of dollars in debts, contributing to their vulnerability to debt bondage. Approximately 500,000 low-skilled migrant workers, many employed under the ROK government's Employment Permit System (EPS), work in the fishing, agriculture, livestock, restaurants, and manufacturing sectors. Some of these workers face conditions indicative of forced labor. Foreign women on E6-2 entertainment visas—mostly from the Philippines, China, and Kyrgyzstan—are subjected to forced prostitution in entertainment establishments near ports and U.S. military bases. Some women from China, Vietnam, Thailand, the Philippines, and Cambodia who are recruited for marriage to South Korean men through international marriage brokers are subjected to forced prostitution or forced labor after their arrival. Family members or Korean criminal networks recruit children from Southeast Asian countries with false promises of employment and subsequently force them into prostitution in South Korea. South Korean men engage in child sex tourism in Vietnam, Cambodia, Mongolia, and the Philippines. Some Korean fishing crew members engage in commercial sex with children in Kiribati. The ROK is a transit point for Southeast Asian fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government investigated 457 reported cases linked to human trafficking, indicted 167 cases involving an unknown number of defendants, and maintained victim protection efforts. The government obtained 14 sex trafficking convictions and 53 labor trafficking convictions. The government conducted a first-ever labor trafficking prevalence survey in the agriculture and livestock sectors. The government, however, continued to narrowly define “trafficking” to lack labor trafficking victim identification guidelines, and to punish some potential victims in law enforcement operations against women in prostitution or migrant workers.



RECOMMENDATIONS FOR THE REPUBLIC OF KOREA:

Enhance efforts to investigate, prosecute, and convict traffickers

under the criminal code; train law enforcement officers, prosecutors, and judicial officials to interpret “trafficking” as defined in the criminal code—not requiring kidnapping, buying and selling, force, or confinement—and to not treat victims as visa violators or willing participants in the crime; proactively investigate and prosecute South Koreans engaging in prostitution with children in Korea and abroad; proactively identify trafficking victims among vulnerable populations—including individuals arrested for prostitution, disabled Korean men, and migrant workers in all visa categories—using standard victim identification guidelines; increase monitoring and establish measures to address trafficking vulnerabilities in Korean government-issued entertainment visas, including verifying contracts and monitoring sponsoring establishments; proactively investigate allegations of government complicity in trafficking and prosecute offenders who are complicit; standardize immigration officers’ application of immigration regulations to potential trafficking victims and implement efforts to monitor and detect immigration patterns of foreign women who enter South Korea on tourist visas and may be forced into prostitution; enhance consistency in judges’ sentencing of traffickers, including revising sentencing guidelines on trafficking-related crimes; increase awareness of prevalence and understanding of trafficking among government officials, including at the provincial and working-level; continue to investigate and prosecute those who use forced labor on South Korean-flagged fishing vessels; decrease the rate of suspended sentences and out-of-court financial settlements in sex and labor trafficking cases; and ratify the 2000 UN TIP Protocol.

PROSECUTION

The government sustained anti-trafficking law enforcement efforts. Chapter 31 of the criminal code prohibits all forms of trafficking, and prescribes up to 15 years’ imprisonment for trafficking crimes; these penalties are sufficiently stringent and commensurate with those prescribed penalties for other serious crimes, such as rape. The government continued to use the less stringent 2004 Act on the Punishment of Acts of Arranging Sexual Traffic, the Labor Standards Act, and the Child and Youth Protect Act to prosecute and punish most trafficking offenses. The government investigated 457 reported cases linked to human trafficking. Under Chapter 31, the government prosecuted four sex trafficking cases and obtained three convictions. Under other statutes, the government indicted 163 cases, including 125 related to labor trafficking, and obtained 11 sex trafficking convictions, compared with 61 in 2013, and 53 labor trafficking convictions, compared with 11 in 2013. Most of the convicted traffickers received sentences less than three years’ imprisonment, with fines and community service, but many offenders received suspended sentences in practice. Prosecutors and police officers complained of inconsistent application of immigration regulations and actual time served by those convicted. After a March 2014 case involving hundreds of disabled Korean men exploited on salt farms, the government established a special investigation team to inspect 854 salt farms in the country. The government convicted 40 owners and brokers for various violations; more than half of those received suspended sentences. A 2012 case of labor abuses on ROK-flagged fishing vessels remained pending at the end of the reporting period. The Ministry of Justice (MOJ) and National Police Agency (NPA) held a series of training courses and seminars for prosecutors, judges, and law enforcement officers on anti-trafficking issues, identification of victims, and victim protection throughout the year. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government sustained efforts to protect and assist trafficking victims. The government identified and assisted 58 foreign sex trafficking victims, compared with 36 in 2013; statistics for Korean or foreign labor trafficking victims were unavailable. Although the government established sex trafficking victim identification guidelines in 2013, many law enforcement officers reported not knowing about them, and the government continued to lack labor trafficking victim identification guidelines. The Ministry of Gender Equality and Family (MOGEF) continued to support 91 facilities that cater specifically to sex trafficking victims and victims of other crimes. The Ministry of Employment and Labor (MOEL) operated 38 foreign workers' support centers and funded NGOs that offered similar services; thousands of workers, some who were trafficking victims, received counseling, education, job training, and lodging. NPA continued to work with social workers when screening women involved in prostitution to identify and assist potential victims of trafficking. Although the law provides that trafficking victims would not be punished, women in prostitution caught during police raids or arrested migrant workers were fined, required to attend training, or deported, without being screened for indicators of trafficking. The government maintained an extensive network of support centers for foreign-born spouses and runaway teenagers, two groups vulnerable to trafficking. The government offered foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution. As an incentive to encourage trafficking victims to participate in investigations and prosecutions, the government issued G-I visas with permission to work for up to one year. Victims could file a civil suit in order to receive restitution, but it is unclear how many victims pursued this option.

PREVENTION

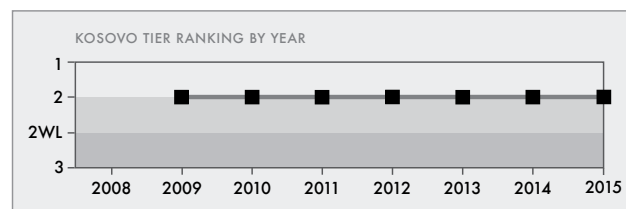
The government maintained efforts to prevent trafficking. In partnership with civil society, the government continued to raise awareness on trafficking through ad campaigns—especially to commemorate the 10th anniversary of the 2004 enactment of Korea's first sex trafficking law—and through other outreach and broadcasting programs. The government conducted two surveys on human rights situations in the agriculture and livestock sectors and abuses associated with the E6-2 entertainment visas, which could help identify vulnerabilities to trafficking. The E6 visa survey highlighted the need for reforms in the issuance and monitoring of this visa category, in which some women are sexually exploited, forced into prostitution, and held under debt bondage. MOGEF continued to operate hotlines in 13 languages accessible to trafficking victims, and the Ministry of Oceans and Fisheries (MOF) continued to operate a hotline for foreign crew members. MOF trained 961 marine and ship staff on human rights protections and labor rights of foreign sailors. The government lacked a trafficking-specific national plan of action, but included proposed anti-trafficking efforts in its human rights national action plan. MOEL conducted routine inspections for violations of labor trafficking throughout the year at EPS sites. In an effort to curb the demand for commercial sex acts, NPA shut down websites and smartphone applications that promote child prostitution in Korea. South Korean men remained a source of demand for child sex tourism in Southeast Asia and the Pacific Islands, traveling primarily on travel-agency-organized golf group tours or business trips. The government continued to post warnings against child sex tourism; however, it did not prosecute or convict any Korean sex tourists. The government continued to provide anti-trafficking

training to troops prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training to its diplomatic personnel. The ROK is not a party to the UN TIP Protocol but introduced a motion in its national assembly to ratify it.

KOSOVO: Tier 2

Kosovo is a source and destination country for women, children, and men subjected to sex trafficking and forced labor, including in the restaurant industry. Most sex trafficking victims in Kosovo are girls, though criminal groups in Kosovo also force women from Albania, Serbia, Romania, and other European countries into prostitution. Women and girls are subjected to sex trafficking in private homes and apartments, night clubs, and massage parlors. Traffickers promise employment as dancers and singers in restaurants, and instead force victims into sex trafficking. Children from Kosovo and neighboring countries are forced to beg within the country. Traffickers subject Kosovo citizens to forced prostitution and forced labor throughout Europe. Government corruption creates an environment enabling some trafficking crimes. Several police officers, labor ministry officials, and other government officials have been charged or convicted of trafficking crimes.

The Government of Kosovo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government obtained an increased number of trafficking convictions, but lenient sentences were imposed and the government prosecuted fewer suspected traffickers. The government increased funding for victim protection but failed to create a victim compensation fund required by law. The government identified fewer victims compared with the previous reporting period.



RECOMMENDATIONS FOR KOSOVO:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials; provide advanced anti-trafficking training to judges, prosecutors, and law enforcement; enhance efforts to identify and assist children forced into begging; fully implement provisions of the 2013 victim protection law, including establishing a victim compensation fund; implement proactive screening for trafficking among individuals engaged in prostitution, migrants, and other at-risk populations; and provide victims of trafficking the freedom to come and go in all shelters.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts; it obtained an increased number of convictions, but convicted traffickers were given inappropriately lenient sentences. Article 171 of Kosovo's criminal code prohibits all forms of trafficking and prescribes punishments of five to 12 years' imprisonment and a fine of up to 500,000 euro (\$608,000). These punishments are

sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. Authorities investigated 155 new trafficking cases during the reporting period, an increase from the 91 initiated in 2013. The government prosecuted 33 cases involving 93 suspects in 2014, a decrease from 45 cases involving 111 suspects in 2013. Courts convicted 41 traffickers, an increase from 25 in 2013. Sentences were relatively weak; the majority of prison sentences were for less than two years or consisted only of modest fines. The government did not disaggregate law enforcement statistics to demonstrate action against both sex and labor trafficking. The backlog of trafficking cases grew during the reporting period; the courts inherited 83 trafficking cases from previous years and 93 prosecutions remained open at the end of 2014. Kosovo authorities arrested one police officer and one senior local administration official for trafficking-related crimes. In addition, in July 2014, police arrested a municipal official for alleged sexual exploitation of a trafficking victim; the suspect was fired and remained under house arrest while prosecutors reviewed the case. Prosecutors continued to review a case involving a police officer arrested in March 2014 on suspicion of abuse of official position and sexual exploitation. Courts convicted two labor ministry officials and one police officer arrested in 2012 for trafficking and fined each 3,000 euro (\$3,650); a second police officer was charged but acquitted. The police academy conducted 24 trainings for the anti-trafficking special police force and border police, compared with 44 trainings in 2013. The government exchanged trafficking information with foreign countries on 23 trafficking cases but did not engage in any joint investigations.

PROTECTION

The government continued efforts to protect victims. Specialized police units identified 42 trafficking victims in 2014 compared with 51 in 2013; four victims were men, as in 2013, and 18 were children, compared with 12 children in 2013. Thirty-five victims were subjected to sexual exploitation, six to labor exploitation, and one to forced begging. Labor inspectors did not uncover any cases of forced labor during the 9,337 inspections conducted in 2014. The police identified four potential victims of forced begging while conducting a field assessment of child beggars. One child was granted trafficking victim status, while the other three were found to be victims of child abuse.

The government provided one government-run shelter and two NGO-run shelters 171,699 euro (\$209,000) for dedicated trafficking victim assistance in 2014, compared with 110,000 euro (\$134,000) in 2013. The government provided an additional 344,994 euro (\$420,000) to NGO shelters to support trafficking victims, domestic violence victims, and at-risk children, compared with 144,000 euro (\$175,000) in 2013. Thirty-three victims accessed government-funded assistance in 2014, compared with 40 in 2013. Victim services included shelter and legal, medical, and psychological services. Nine care facilities were accessible to victims, though none were located in the country's four northern municipalities. Authorities could place child trafficking victims in one shelter designated solely for child victims of violence, and foster care was available for long-term care. The government maintained a high security shelter opened in 2013, which separately housed male and female victims. Victims determined to be at low risk of further exploitation typically stayed at NGO-run shelters. Adult victims could not leave the high security shelter unchaperoned at will but could do so from the NGO-run shelters based on a risk assessment.

The government encouraged victims to participate in investigative and judicial processes by providing protection at the high-security shelter and accommodation and care at other facilities. According to the government, all 42 victims identified in 2014 cooperated with investigations. Victim advocates or social workers were present when police interviewed potential victims of trafficking and provided legal advice. The government was authorized to provide residence permits to foreign victims for at least six months, but it did not issue any permits during the reporting period. Victims who were witnesses in criminal proceedings could return to their country of origin without waiting for the conclusion of the trial. Kosovo law required victims be accorded a reflection period—time in which they could recover before deciding whether to cooperate with law enforcement. Although a 2013 trafficking victim protection law required the government to establish and fund a victim compensation fund, the government had not done so by the end of the reporting period. There were no reports of the government punishing victims of trafficking for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

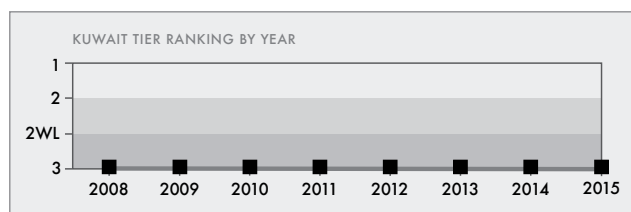
The government continued some efforts to prevent trafficking. Authorities worked with NGOs and international experts to draft a 2014-2019 action plan, but it was not formally approved by the close of the reporting period. A national anti-trafficking coordinator regularly convened a coordinating body composed of relevant government agencies, NGOs, and international observers. The government produced annual progress reports which were made available to foreign governments, NGOs, and international organizations. Awareness-raising efforts included a one-month campaign aimed at potential child victims of trafficking and a three-day conference on trafficking victims' rights with participation by judges, prosecutors, justice officials, and NGO representatives from six countries in the region. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel. Diplomatic personnel are provided a manual to aid in identifying trafficking victims and are instructed not to engage in human trafficking or trafficking-related activities.

KUWAIT: Tier 3

Kuwait is a destination country for men and women subjected to forced labor and, to a lesser degree, forced prostitution. Men and women migrate from South and Southeast Asia, Egypt, the Middle East, and increasingly throughout Africa to work in Kuwait, mainly in the domestic service, construction, and sanitation sectors. While Filipino, Indian, and Sri Lankan women continue to represent a significant percentage of Kuwait's domestic worker population, in the last few years, there has been a reported increase in migrants from Ethiopia, Uganda, and Madagascar. Though most migrants enter Kuwait voluntarily, upon arrival some sponsors subject migrants to forced labor, including through nonpayment of wages, long working hours without rest, deprivation of food, threats, physical or sexual abuse, and restrictions on movement, such as confinement to the workplace and the withholding of passports. Many of the migrant workers arriving in Kuwait have paid exorbitant fees to labor recruiters in their home countries or are coerced into paying labor broker fees in Kuwait which, according to Kuwaiti law, should be paid by the employer—a practice making workers highly vulnerable to forced labor, including debt bondage. Some

labor recruiting companies have been complicit in trafficking with their use of deceptive recruiting techniques to bring in migrant workers on the basis of unenforceable contracts and nonexistent positions, while promising employers workers who are well-trained but turn out to be unskilled. Kuwait's sponsorship law, which ties a migrant worker's legal residence and valid immigration status to an employer, restricts workers' movements and penalizes them for "running away" from abusive workplaces; as a result, domestic workers are particularly vulnerable to forced labor inside private homes. While Kuwait requires employers to use a standard contract for domestic workers delineating some basic rights, Kuwait lacks a domestic labor law to govern the relationship between domestic workers and sponsors. Thus, many workers report experiencing work conditions substantially different from those described in the contract; some workers never see the contract at all and others receive Arabic- or English-language contracts that they are unable to read. In addition, sources report runaway domestic workers are sometimes exploited in forced prostitution by agents or criminals who manipulate their illegal status.

The Government of Kuwait does not fully comply with the minimum standards for the elimination of trafficking and is not making sufficient efforts to do so. The government increased its capacity to protect trafficking victims in 2014 through the official opening of its high-capacity shelter and amendment of its shelter regulations, which now allow any woman access to the shelter without formal referral. The government continued its efforts to prevent trafficking during the reporting period by conducting investigations into visa fraud rings, including those allegedly involving government officials, leading to the closure of hundreds of labor recruitment firms and hundreds of people referred for prosecution. However, of the hundreds of visa fraud violators referred for prosecution, only one case has been investigated under the 2013 counter-trafficking law and the government has yet to prosecute or convict suspected traffickers. Existing laws do not provide adequate prosecutorial power or punishments for those operating labor recruiting firms. The government did not report adequate efforts to prosecute or convict suspected traffickers. The government did not implement formal procedures to identify or refer trafficking victims, and victims of trafficking continued to be arrested, detained, and deported. Emerging efforts to issue exit and travel documents to abused workers whose passports had been confiscated were not accompanied by any enforcement activities against the employers from whom the workers had fled.



RECOMMENDATIONS FOR KUWAIT:

Enforce laws against sponsors and employers who illegally hold migrant workers' passports; implement the 2013 anti-trafficking law by investigating and prosecuting trafficking offenses and convicting and punishing offenders, particularly sponsors who subject domestic workers to involuntary servitude; greatly increase law enforcement efforts, including investigations of trafficking offenses perpetrated by Kuwaiti citizens, and establish standard

operating procedures for investigations and prosecutions of trafficking crimes; coordinate with the public prosecutor's office to amend current laws to allow for the prosecution of labor recruiting firms; establish procedures to proactively identify and refer to protection services all victims of human trafficking, especially among the female domestic worker population; establish linkages between emerging victim care efforts and law enforcement activities; continue to train shelter staff in providing services to potential trafficking victims; ensure the availability of shelter and services to male victims, sex trafficking victims, and forced labor victims outside of the domestic worker context; amend the sponsorship law to protect foreign workers, including domestic workers, from abuse; increase effective coordination between ministries through the inter-ministerial anti-trafficking committee; and continue to increase efforts to prevent trafficking.

PROSECUTION

The government made weak anti-trafficking law enforcement efforts. The government enacted anti-trafficking legislation in March 2013, which prohibits all forms of trafficking. The law prescribes penalties ranging from 15 years' to life imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government did not report any prosecutions, convictions, or sentences of trafficking offenders for either forced labor or sex trafficking. While it investigated visa fraud rings, allegedly involving complicit officials, including in the Ministries of Interior (MOI), Social Affairs and Labor (MOSAL), and Commerce and Industry, as well as members of the ruling Al-Sabah family, the government failed to prosecute and convict officials complicit in these trafficking or trafficking-related offenses. Although the withholding of workers' passports is prohibited under Kuwaiti law, this practice remains common among sponsors and employers of foreign workers, and the government demonstrated no efforts to enforce this prohibition. It remained uncommon to find domestic workers who took refuge in their home-country embassy shelters with their passports in their possession. The government remained reluctant to prosecute Kuwaiti citizens for trafficking offenses. Kuwaiti law enforcement treated cases of forced domestic labor as administrative infractions, and punishment was limited to assessing fines, shutting down employment firms, issuing orders for employers to return withheld passports, or requiring employers to pay back-wages. In 2014, the MOI, in partnership with an international organization, held an anti-trafficking training. The judicial institute continued its mandatory human trafficking course for all newly-hired judicial officials, including prosecutors and judges.

PROTECTION

The government made some progress to protect victims of trafficking by officially opening its large-capacity shelter for runaway domestic workers in December 2014. Nonetheless, the government failed to develop and implement formal procedures to proactively identify trafficking victims among vulnerable populations, such as foreign migrants, domestic workers, and women in prostitution. The government did not develop or implement a referral mechanism to provide adequate protection services to victims. While Article 12 of the anti-trafficking law stipulates public prosecutors may refer a trafficking victim to an appropriate care facility during an ongoing trial until the time of repatriation, there was no indication this occurred in practice during the reporting period. The 2013 anti-trafficking legislation did not stipulate providing protection from prosecution for victims

who fled abusive employers. Workers who left their employer's residence without permission risked criminal penalties and arrest, detention, and deportation, even if they were fleeing from an abusive sponsor. The threat of these consequences discouraged workers from appealing to police or other government authorities for protection and from obtaining adequate legal redress for their exploitation. Embassy contacts reported that some personally motivated police officials helped to ensure trafficking victims were not subjected to unwarranted incarceration. Trafficking victims rarely filed cases against their employers, yet some victims who alleged nonpayment of wages received a monetary settlement for wages owed from their employers. The government reported public prosecutors sometimes tried cases on victims' behalf if they were unable to afford legal counsel while pursuing cases against their employer or sponsor.

In December 2014, the government officially opened its high-capacity shelter for runaway domestic workers only with 1,970 women receiving services and assistance at the shelter; an unknown number of the women were forced labor victims. It is unclear how many of these women endured trafficking abuses. The fully operational 700-bed facility served as a one-stop facility, providing medical and psychological care, assistance with repatriation, as well as access to officials from various ministries involved in filing cases against employers. Victims were not able to leave the facility unescorted. While the government previously required women to receive referrals from foreign embassies or international organizations before being granted access to the shelter, it amended this regulation in December 2014 to allow women access to the shelter without a referral. There continued to be no shelter or other protective services afforded for male trafficking victims. Domestic workers from the Philippines, India, Sri Lanka, Ethiopia, and other countries continued to seek assistance at their embassies; some source-country embassies reported providing shelter to at least 200 domestic workers who ran away from their employers. To assist embassies in repatriating trafficking victims, the government directly funded and coordinated with recruitment agencies to purchase airline tickets. MOSAL and the newly established Public Authority for Manpower paid approximately 100,000 Kuwaiti dinars (KD) (\$350,000) to repatriate expat workers over the past two years. The MOI also repatriated expatriate workers, but it sought a refund of travel costs from the employers who sponsored the workers. The government also provided an annual operating budget of 600,000 KD (\$2,040,000) for the new shelter. The government did not offer foreign trafficking victims legal alternatives to their removal to countries in which they may face hardship or retribution.

PREVENTION

The government sustained minimum efforts to prevent human trafficking. The government did not have a national body or a designated official responsible for coordinating anti-trafficking efforts between ministries. Nonetheless, the government conducted awareness campaigns at Kuwait International Airport aimed at educating newly-arriving domestic workers about the services offered at the domestic workers' shelter. The government's investigation of visa fraud rings led to the closure of hundreds of labor recruitment firms and resulted in the referral of hundreds of suspects for prosecution; however, it did not indicate the alleged violations included trafficking crimes. Most of the referred offenders would only be investigated and prosecuted under the penal code with inadequate sentences in the form of fines; of the several hundred people referred for prosecution, only the executives of

four companies were investigated under the anti-trafficking law. Nonetheless, the government did not report on prosecution of these individuals. The Public Authority for Manpower was established during the reporting period, but it lacked adequate numbers of labor inspectors and did not cover domestic workers. The government did not report efforts to reduce the demand for commercial sex acts and forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel.

KYRGYZSTAN: Tier 2

The Kyrgyz Republic (or Kyrgyzstan) is a source, transit, and destination country for men, women, and children subjected to forced labor; and for women and children subjected to sex trafficking. Adult male labor migrants working abroad are reportedly at the highest risk of trafficking. Kyrgyz men, women, and children are subjected to forced labor in Russia and Kazakhstan, and to a lesser extent in Turkey and other European countries, as well as within the Kyrgyz Republic, specifically in the agricultural, forestry, construction, and textile industries, and in domestic service and forced childcare. Kyrgyz children are also subjected to forced labor in cotton and tobacco fields, the selling and distribution of drugs within the country, and hauling cargo both in Kyrgyzstan and neighboring countries. Women and girls are subjected to sex trafficking abroad, reportedly in Turkey, the United Arab Emirates (UAE), India, Russia, Kazakhstan, and within the country. Kyrgyz police officers allegedly exploit female trafficking victims, including some younger than age 18, for sex both in saunas and on the street. Police also allegedly threaten and extort sex trafficking victims, including minors, and reportedly accept bribes from alleged traffickers to drop cases. Street children who engage in begging and children engaged in domestic work (often in the homes of extended family members) are vulnerable to human trafficking. Women and underage teenaged girls from Uzbekistan are increasingly subjected to sex trafficking in southern Kyrgyzstan. Some men and women from Uzbekistan, Tajikistan, and Turkmenistan transit the country as they migrate to Russia, the UAE, and Turkey, where they may become victims of sex and labor trafficking. International organizations and NGOs reported that some Kyrgyz individuals who join extremist fighters in Syria are forced to remain against their will and that others, including minors, may be deceived by recruiters promising jobs in Turkey, to later be forced by extremist groups to fight, work, or endure sexual servitude in Syria.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government established a parliamentary commission to complete an evaluation of the government's anti-trafficking efforts and reported increased prosecutions and convictions of trafficking offenders. However, the government did not have formal written procedures to guide officials in proactive identification or referral of victims. Additionally, the government failed to adequately address alleged complicity in trafficking and trafficking-related offenses despite a 2013 report by the UN special rapporteur on the sale of children, child prostitution, and child pornography that concluded there was serious and endemic corruption of police officers, who allegedly participated themselves in the detention and rape of child sex trafficking victims.



RECOMMENDATIONS FOR KYRGYZSTAN:

Vigorously investigate and prosecute government officials suspected of being complicit in trafficking or who engage in abuse and exploitation of trafficking victims, and convict and punish those found guilty; continue efforts to investigate and prosecute suspected trafficking crimes, respecting due process, and convict and punish trafficking offenders, ensuring the majority of those convicted serve time in prison; increase efforts to proactively identify trafficking victims among vulnerable groups, such as street children, persons in prostitution, adult and child agricultural laborers, and Kyrgyz migrant workers, and refer those victims to protective services; enact legislation consistent with international law to ensure prosecuting the prostitution of minors does not require proof of force, fraud, or coercion; develop and implement child-sensitive investigation and prosecution procedures for cases in which children may be victims of human trafficking; continue to provide premises for NGO-run shelters; continue to contribute to efforts by international organizations to train police, prosecutors, and judges; and ensure identified trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking.

PROSECUTION

The government made modest anti-trafficking law enforcement efforts, but did not adequately address serious allegations of official complicity. The 2005 Law on Prevention and Combating Trafficking in Persons creates the legal framework to combat trafficking in persons outside of the criminal law arena, focusing on protection and assistance for trafficking victims. In addition, Article 124 of the criminal code, entitled "Trafficking in Persons," criminalizes both sex and labor trafficking of adults and covers a non-trafficking offense, "child adoption for commercial purposes." Contrary to international law, Article 124 requires the prosecutor to prove the offender used force, blackmail, fraud, deception, or abduction for cases of sex trafficking regardless of whether the victim is a child or adult. Article 124 prescribes penalties of five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. There are other provisions of the criminal code that include trafficking-related offenses. For example, Article 157 makes it a crime to involve a minor in begging and other activities (such as use of narcotic drugs) and prescribes penalties that range from a fine to four years' imprisonment. Prosecutors may also charge traffickers using Article 260, amended in 2014, to increase the penalties for engaging a person in prostitution through the use of force or the threat of force or fraud, and mandates, in some circumstances, substantial prison sentences. While the crime remains generally punishable by a fine or imprisonment of three to five years, in the presence of aggravating circumstances, longer prison sentences are mandatory. For example, when the victim is a child aged 14-17 years, the penalty is five to 10 years' imprisonment, and if the victim is younger than 14 years, the penalty is 10 to 15 years' imprisonment. Article 261 criminalizes organizing others into

prostitution or maintaining a brothel without the use or threat of physical violence, and imposes the same penalties for child victims as are set forth in Article 260. Article 15 of the Code on Children prohibits forced child labor.

The government reported its initiation of 11 investigations in 2014, which included seven forced labor and four sex trafficking cases. The Ministry of Labor, Migration, and Youth (MLMY), which is mandated to coordinate the government's anti-trafficking efforts, reported the government prosecuted 20 cases in 2014. The prosecutor general's office reported 21 offenders were prosecuted, an increase from three in 2013; however, it is unclear if this corresponds to those reported by MLMY, as the government does not have a unified database to track trafficking statistics. The government reported its conviction of 15 offenders in 2014, an increase from zero in 2013; however, it is unclear how many of the convictions were for trafficking as opposed to child adoption for commercial purposes. These cases were all prosecuted and convicted under Article 124. The media and international organizations also reported law enforcement efforts against alleged traffickers under other statutes, including investigations of adults who recruited minors into prostitution.

Corruption is a systemic problem in Kyrgyzstan; NGOs and international organizations reported law enforcement officials often accepted bribes to drop cases and sometimes warned suspects prior to raids. Traffickers were reportedly also able to avoid punishment by offering victims small amounts of money to drop cases. The Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. An international organization reported the government prosecuted and convicted a senior police officer for his role in recruiting a labor trafficking victim, but the officer was later acquitted when the victim applied to overturn the case due to conciliation of the parties, reportedly after secretly accepting payment from the officer.

PROTECTION

The government maintained minimal efforts to protect and assist trafficking victims. The government remained without formal written procedures to guide officials in proactive identification of trafficking victims among high-risk populations. The government did not report a comprehensive count of identified victims; however, it did report identifying 21 Kyrgyz labor trafficking victims in Russia, and 23 Kyrgyz sex trafficking victims in Turkey and the UAE. International organizations and NGOs reported assisting 194 victims in 2014, 182 of whom were subjected to forced labor; nine to sex trafficking, and three to both labor and sex trafficking; three of the victims were younger than 18 years and 137 were male. The government continued to provide in-kind assistance to anti-trafficking NGOs, including the facilities used by three NGO-run shelters (two for adults and one for children) that provided services for trafficking victims. The government also continued to provide a national toll-free telephone line and office space to an NGO-run counter-trafficking and labor migration hotline that provided legal advice and assistance to trafficking victims. Local law enforcement and educational institutions retained informational materials to provide to trafficking victims. Kyrgyz consular officials assisted an unknown number of victims abroad by providing no-

cost travel documents and, in some cases, escorting the victim to the border. Such efforts included MLMY and the Embassy of the Kyrgyz Republic in Russia partnering with an international organization to repatriate 21 victims of trafficking in 2014.

Police do not use child-sensitive procedures when dealing with child victims during case investigation and courts do not provide safeguards to ensure their privacy and protection. The government reportedly punished trafficking victims for crimes they were forced to commit as a direct result of being subjected to trafficking. According to the 2013 UN special rapporteur report, police officers allegedly detained child sex trafficking victims, releasing them only after they performed sexual acts. Kyrgyz police extorted bribes from child sex trafficking victims through threats of arrest for prostitution, even though prostitution was neither illegal nor an administrative offense. The Bishkek Police Department for Combating Human Trafficking and Crimes Against Public Morality focused on raiding brothels, the ownership of which is illegal, but did not have formal written procedures in place for the identification and protection of potential sex trafficking victims; thus, officials may have penalized and arrested unidentified victims.

PREVENTION

The government made efforts to prevent trafficking. During the reporting period, the government created a parliamentary commission to complete an evaluation of the government's overall anti-trafficking efforts and publicized the need to improve them. In November 2014, a second MLMY employment center was opened in Osh, with funding and support from an international organization and foreign government, to complement the similar center in Bishkek. The centers provided employment services, vacancy advertisement, pre-departure orientation, which included trafficking prevention, and other services for job seekers to ensure safer migration and employment. During the reporting period, MLMY broadcasted videos on its website and two television channels about how to find legal employment abroad and generally avoid trafficking and labor exploitation. Additionally, MLMY carried out an unknown number of trafficking prevention and awareness events in cooperation with local law enforcement and other government agencies. MLMY also monitored the government's implementation of programs under its 2013-2016 anti-trafficking action plan. The government commission to review and issue permits for private agencies that recruit migrant workers met in August 2014 and canceled permits for four agencies; MLMY disseminated information about the permit status of the agencies online and through the employment centers. The Ministry of Education distributed information on human trafficking among students in public schools and at higher education institutions. The border service provided anti-trafficking information at border crossings. The NGO-run hotline, supported in-kind by the government, provided awareness-raising and general prevention information to callers. The government provided anti-trafficking guidance for its diplomatic personnel. The government did not report efforts to reduce the demand for commercial sex acts or forced labor.

LAOS: Tier 2 Watch List

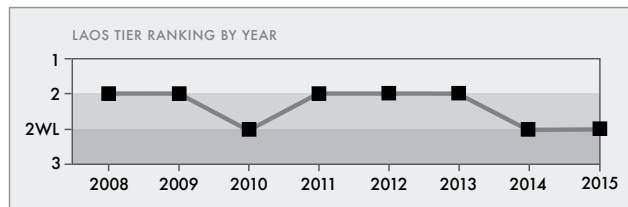
Laos is a source, and to a lesser extent, a transit and destination country for women, children, and men subjected to sex trafficking and forced labor. Lao trafficking victims often are migrants seeking work outside the country—sometimes with the assistance of

brokers who charge high fees—who encounter conditions of labor or sexual exploitation after arriving in destination countries, most often Thailand. Many victims, particularly women and girls, some reportedly as young as 11 years old, are exploited in Thailand's commercial sex trade and in forced labor in domestic service, factories, or agricultural industries. Lao men and boys are victims of forced labor in Thailand in the fishing, construction, and agricultural industries. Lao victims of forced labor in the Thai fishing industry have been identified in Indonesian waters. NGOs report individuals offering transportation services near the Thai border facilitate the placement of economic migrants into forced labor or sex trafficking in Thailand. The government reports foreign traffickers increasingly collaborate with local Lao middlemen to facilitate trafficking. Many trafficking victims may be among the more than 17,000 migrants deported or "pushed back" annually from Thailand without official notification, often sent back to Laos in boats across the Mekong River. Vehicle drivers sometimes intercept these migrants when they arrive back in Laos and facilitate their re-trafficking. A small, though possibly increasing, number of women and girls from Laos are sold as brides in China and South Korea and subsequently subjected to sex trafficking. Lao women have been subjected to sex trafficking in Malaysia and possibly Indonesia. A small number of Lao have been subjected to trafficking in Vietnam. Some local officials may contribute to trafficking by accepting payments to facilitate the immigration or transportation of girls to Thailand.

Laos is reportedly a transit country for some Vietnamese and Chinese women and girls who are subjected to sex trafficking and forced labor in neighboring countries, particularly Thailand. Local organizations reported concerns that some of the Vietnamese men and women working in or near (often illegal) logging and construction areas along the Lao-Vietnam border may be victims of trafficking. They reported similar concerns over Burmese nationals working as manual laborers or involved in the sex trade near the "golden triangle" tri-border area with Burma and Thailand.

There is little data on the scope of trafficking within Laos. Some Vietnamese and Chinese women and girls, as well as girls and boys from Laos, are subjected to sex trafficking in the country, usually in the larger cities or in close proximity to borders, casinos, or special economic zones, reportedly to meet the demand of Asian tourists and migrant workers. Some Lao adults and children are subjected to forced labor within Laos in the agricultural sector. There were reports that child sex tourists from the United Kingdom, Australia, and the United States have traveled to Laos intending to exploit children in the sex trade.

The Government of Laos does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to prosecute trafficking offenses and convict traffickers, and to provide short-term assistance to some victims with a heavy reliance on support from foreign donors. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Laos is placed on Tier 2 Watch List. The government did not provide sufficient case details to establish that all reported cases involved trafficking. The government relied almost entirely on local and international organizations to implement anti-trafficking programs in Laos. It did not make progress in proactively identifying trafficking victims, enhancing the quality of services available to victims, or increasing access to services for male victims.



RECOMMENDATIONS FOR LAOS:

Implement formal victim identification procedures and train police and border officials to systematically identify trafficking victims, and refer them to care, particularly among migrants “pushed back” from Thailand and domestic victims; increase efforts to address internal trafficking—including children subjected to sex trafficking and adults and children subjected to forced labor in the commercial agricultural sector—by identifying and assisting Lao citizens subjected to trafficking within the country and prosecuting their traffickers; finalize new anti-trafficking legislation that conforms with international law requirements, including organizations with relevant expertise in all stages of the drafting process; improve transparency by collecting information on government anti-trafficking activities, including case details, and share this information with stakeholders; provide incentives for victims to participate in formal legal proceedings, including through restitution awards from the courts; reduce the demand for sex tourism by continuing to increase awareness in targeted locations and enforcing criminal penalties; in partnership with local and international organizations, increase resources and vocational trainings to support victims, including male victims, to reintegrate into their home communities; increase government expenditures on service provision to victims and awareness campaigns to warn of the dangers of human trafficking; and investigate and prosecute public officials alleged to be complicit in trafficking crimes.

PROSECUTION

The government continued moderate law enforcement efforts to combat trafficking. As of a 2006 revision to its penal code Article 134, Lao law prohibits all forms of human trafficking and prescribes penalties ranging from five years' to life imprisonment, fines ranging from 10 to 100 million kip (\$1,250 to \$12,500), and confiscation of assets; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government continued drafting the framework for trafficking-specific legislation, and during the reporting period, it conducted limited consultations with international organizations capable of providing necessary legal expertise. In 2014, authorities reported investigating 38 individuals for suspected trafficking offenses, prosecuting 31, and convicting 21 trafficking offenders. Officials reported convicted traffickers received punishments from five to 15 years' imprisonment and fines ranging from 10 to 100 million kip (\$1,250 to \$12,500). The government used various criminal statutes to prosecute cases and did not specify the nature of cases; it is not possible to confirm all reported cases constituted trafficking offenses. Court proceedings lacked adequately detailed record-keeping, and despite initiating broad legal system reform, the Lao judicial sector remained weak and inefficient. The government added anti-trafficking provisions into basic training courses for police, and led donor-funded trainings that reached more than 300 officials. The government reported conducting cooperative investigations with the governments of China and Vietnam, resulting in one extradition. The general

public's continued reluctance to work with law enforcement and reliance on out-of-court mediation hampered the government's ability to effectively investigate internal and cross-border trafficking cases. Corruption remained an endemic problem in Laos. Anti-trafficking organizations have reported some local officials may have contributed to trafficking by accepting payments to facilitate the immigration or transportation of girls to Thailand. The government reported investigating an unknown number of cases of officials for producing falsified travel documents—which could have facilitated trafficking—but did not report any prosecutions or convictions of officials for complicity in human trafficking or trafficking-related activities during the year.

PROTECTION

The government did not make progress in proactively identifying victims exploited within the country or among those deported from other countries, and its overall victim protection efforts remained inadequate. It continued to provide modest support to victims identified by the Thai government and repatriated to Laos. The government reported assisting 253 victims in 2014; such assistance could have included temporary accommodation, legal advice, health services, education, or job training. Lao authorities did not follow systematic procedures for the identification of victims, and the government did not complete revisions to a previously developed checklist for the identification of victims among vulnerable groups. Deportees from Thailand were not systematically screened, and front-line officers' lack of awareness often led to conflation between trafficking and involuntary migration, leaving some victims unidentified.

The government reported allocating 150 million kip (\$18,800) to victim services in 2014, though it did not specify whether this funding was disbursed or how it was used. It continued to rely almost entirely on NGOs and international organizations to provide and fund victim services. The government cooperated with an NGO to run a transit center in Vientiane, where victims could stay for approximately one week, and the quasi-governmental Lao Women's Union operated a short-term shelter for victims of a number of forms of abuse; an unknown number of victims received services from these facilities. In addition, the government referred an unknown number of victims to non-governmental shelters or other providers of medical care, counseling services, and vocational training. In September 2014, the government signed an agreement with the Government of China to cooperate on protecting and repatriating victims of trafficking. A lack of adequate long-term support available in Laos made victims vulnerable to re-trafficking. Although Lao men and boys were subjected to trafficking, the vast majority of services in the country were only available to women.

There were no reports of identified victims being subjected to penalties for acts committed as a result of being subjected to trafficking, and central government officials instructed provincial authorities that they could not fine repatriated victims for immigration violations. However, a lack of proactive victim identification may have led to some unidentified victims being treated as law violators. Lawyers did not always have formal training and victims were not always made sufficiently aware of their legal rights. The government reported encouraging victims to cooperate with prosecutions, and the Lao Women's Union made efforts to familiarize individual victims with the court process, but an overall lack of incentives for participation in formal legal proceedings, which can be lengthy and costly, led some victims

to choose traditional out-of-court mediation for redress. Unlike last year, there were no reported cases of victims being awarded restitution by the courts. The government did not establish formal legal alternatives to the removal of foreign trafficking victims to countries where they may face retribution or hardship, but reported it would consider such options on a case-by-case basis.

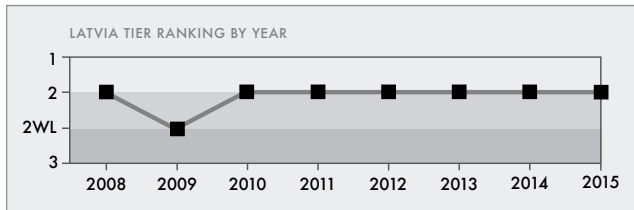
PREVENTION

The government continued modest prevention efforts. On a day the government designated to combat trafficking in December 2014, the prime minister gave a speech to raise awareness of trafficking that reached more than 1,000 individuals. Government-controlled print, television, and radio media carried a variety of pieces to promote anti-trafficking awareness. The Ministry of Foreign Affairs continued to distribute materials about safe migration and the risks of human trafficking to Lao citizens applying for passports. Although the government continued implementation of its national action plan, it reported no notable outcomes from these activities. Officials reported investigating leads from an international law enforcement agency that seven child sex tourists had entered the country, but this did not result in any arrests and no additional action to enforce criminal penalties for child sex tourism were reported. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government took no discernible measures to reduce the demand for forced labor or commercial sex acts.

LATVIA: Tier 2

Latvia is a source and destination country for women and children subjected to sex trafficking and a source and destination country for women, men, and children subjected to forced labor. Latvian women and girls are subjected to sex trafficking within Latvia as well as in other parts of Europe. Latvian men, women, and children are subjected to forced labor within Latvia, as well as in other parts of Europe, particularly in construction and agricultural sectors. Latvian women recruited for brokered marriages in Western Europe, particularly Ireland, are vulnerable to sex trafficking, domestic servitude, and forced labor.

The Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government significantly increased the budget for victim assistance and certified more victims, particularly men. It demonstrated strong prevention efforts through sponsoring awareness-raising activities and launched a working group to facilitate inter-ministerial and public-private coordination. Latvia continued to be a regional leader in identifying and preventing sham marriages that put women in highly vulnerable situations, including some cases of trafficking. However, these robust efforts were not matched in the government's fight against certain forms of trafficking, particularly Latvians subjected to labor trafficking abroad, as well as trafficking occurring within Latvia. Authorities have not initiated a labor trafficking investigation since 2009, and a Latvian court has never convicted a criminal defendant of labor trafficking. In 2013 and 2014, authorities identified no Latvian or foreign victims exploited within the country. The Supreme Court upheld a conviction and the trafficker was sentenced to prison; however, the number of prosecutions and convictions under the trafficking statute remained low, relative to the number of victims identified.



RECOMMENDATIONS FOR LATVIA:

Increase efforts to investigate and prosecute trafficking cases under the trafficking statute (Section 154-1 of the Latvian Criminal Law); increase efforts to proactively identify victims, particularly Latvian and foreign victims exploited within the country; increase training for police, prosecutors, and judges on trafficking, including forced labor and domestic trafficking cases; impose criminal penalties on convicted traffickers, including public officials, that are commensurate with the severity of the crime committed; encourage more victims to assist law enforcement by training officials on how to provide appropriate protections to all victims, such as witness protection and how to minimize the trauma victims face when testifying against their traffickers in courtrooms; provide police investigators sufficient resources to conduct investigations; improve collaboration between the State Labor Inspectorate and the police to ensure credible referrals result in police investigations; provide prosecutors and judges with clarity on the use of Section 154-1 versus Section 164 and consider amending Section 164 if too much overlap exists; provide more victims with compensation from their traffickers and from the State Agency for Judicial Assistance; review and improve the efficiency of trial procedures to ensure a victim-centered approach and to expedite prosecutions; and fully fund and implement the 2014-2020 National Anti-Trafficking in Persons Program (national action plan).

PROSECUTION

The government maintained weak law enforcement efforts. Latvia prohibits all forms of trafficking through Sections 154-1 and 154-2 of its Criminal Law, which prescribe a maximum penalty of up to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In October 2014, Latvia amended Section 154-2 to include a detailed description of what constitutes vulnerability. Judges and prosecutors have the power to reclassify cases from Section 154-1 to lesser crimes. For instance, trafficking crimes could be charged under Section 164, which criminalizes exploiting individuals' vulnerability or using deceit in order to involve them in prostitution—a scenario very similar to sex trafficking—but prescribes punishments as lenient as community services or a fine.

In 2014, the government investigated 10 suspects in one new case of sex trafficking under Section 154-1, a decrease from six new cases involving 18 suspects in 2013. Authorities have not initiated a labor trafficking investigation since 2009, despite the government certifying at least 15 victims of labor trafficking in 2014. Local media raised concerns domestic and international labor exploitation was underreported. The government did not initiate any prosecutions under Section 154-1 in 2014, compared to one prosecution in 2013. As in 2013, authorities did not secure any convictions under Section 154-1 in 2014. This statistical information includes lower-level court sentences that were not appealed. The Supreme Court upheld a conviction under Section 154-1 in 2014; the trafficker received a seven-year prison sentence followed by a police supervision term of three years. Previously, between 2010

and 2013, lower-level courts issued suspended sentences to all four convicted traffickers. Authorities collaborated with several foreign governments on trafficking investigations.

A 19-officer unit of the state police specialized in investigating trafficking, sham marriages, money laundering, and related crimes. Observers reported law enforcement had more capacity to investigate and charge suspected traffickers for trafficking-related crimes, such as money laundering, pimping, and transfer for sexual exploitation. Charging traffickers with lesser crimes, particularly those that often result in suspended sentences, permits traffickers to commit a serious crime with impunity, endangers victims they exploited, diminishes the deterrence effect, and prevents policymakers from effectively evaluating the trafficking situation and calibrating policies and resources to fight this crime. Observers reported the need for more training for law enforcement, particularly on evidence collection and understanding psychological coercion. The government hosted trainings for some state police, prosecutors, and judges. The Office of the Prosecutor General indicated low salaries and limited benefits caused a high level of staff rotation within the anti-trafficking police unit, affecting morale and case investigation quality. Latvian court procedures were lengthy and stalled anti-trafficking efforts. In 2014, authorities launched an investigation of two Riga police representatives charged with facilitating pimping. The prosecution of a former anti-trafficking police officer accused of extortion and other crimes was ongoing at the close of the reporting period. Authorities continued to prosecute a sworn attorney for withholding evidence in a trafficking-related prosecution. The government reported no new prosecutions or convictions of government employees complicit in trafficking.

PROTECTION

The government sustained victim protection efforts. The government provided approximately 159,400 euro (\$176,600) for its victim assistance program in 2014, compared with approximately 93,400 euro (\$103,500) in 2013. The government's NGO-run rehabilitation program offered victims psychological assistance, medical aid, legal representation, housing, and reintegration services. The government's bureaucratic delays in contracting an NGO to provide services resulted in a gap of state assistance provision for new victims for the first two months of 2015. In 2014, the government enrolled 27 new victims into its assistance program, compared with 22 victims in 2013; the program assisted 38 victims in total, including some identified in 2013. All of the newly enrolled victims were Latvian and had been exploited abroad; eight victims were male. Only three of these victims cooperated with law enforcement in 2014, amid reports that officials did not gain victims' trust or take sufficient efforts to encourage victims to cooperate. Local victim advocates reported the number of victims certified by the state did not accurately reflect the scope of trafficking in Latvia because of the victims' hesitation or inability to report abuses. Latvian courts had video conference and audio recording capabilities; nevertheless, observers noted instances in which victims facing their traffickers during trial caused re-victimization. The government enrolled one victim in its witness protection program in 2014. Latvian courts did not order restitution payments for any victims in 2014, despite courts confiscating property from suspected traffickers. One victim received compensation from a government fund for victims of severe crime. There were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking.

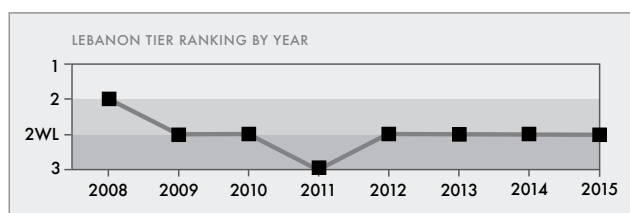
PREVENTION

The government demonstrated strong prevention activities. Latvian authorities continued to use Section 165-1, which prohibits the transfer of individuals for the purpose of sexual exploitation, to prevent potential cases of trafficking. In 2014, the government prosecuted 11 defendants under Section 165-1 and convicted 14 suspects, although only one conviction came with a prison sentence. The prime minister established an anti-trafficking working group comprised of 33 representatives across ministries and NGOs; the group will coordinate inter-ministerial activities and implement the 2014 to 2020 national action plan. Authorities reported the state budget does not allocate funding for several of the action plan's activities, including training. Various ministries contributed to a number of awareness-raising activities, including programs for schools and potential migrants. The State Labor Inspectorate continued to refer cases of suspected labor trafficking to the police, but none of these referrals resulted in the opening of an investigation. The government continued to maintain information and emergency hotlines that received calls on potential trafficking situations. The government provided anti-trafficking training for Latvian diplomatic personnel as well as foreign diplomats assigned to Latvia. The government did not report any specific measures to reduce the demand for commercial sex acts or forced labor.

LEBANON: Tier 2 Watch List

Lebanon is a source and destination country for women and children subjected to forced labor and sex trafficking and a transit point for Eastern European women and children subjected to sex trafficking in other Middle Eastern countries. Women and girls from South and Southeast Asia and an increasing number from East and West Africa experience domestic servitude in Lebanon with the assistance of recruitment agencies that at times engage in fraudulent recruitment. A highly publicized case of an Ethiopian domestic worker publicly beaten by a Lebanese recruitment agent in March 2012 exemplifies the abuse suffered by domestic workers in Lebanon. Under Lebanon's sponsorship system, workers who leave their employers' houses without permission forfeit their legal status, putting them at risk of re-trafficking. Women from Eastern Europe, North Africa, and Dominican Republic enter Lebanon through the *artiste* visa program to work in the adult entertainment industry. In 2014, approximately 3,400 women entered Lebanon under this program—a substantially lower number than in 2013—which sustains a significant sex trade and enables forced prostitution. Some women from East and West Africa also endure forced prostitution in Lebanon. Lebanese children are reportedly victims of forced labor in street begging and commercial sexual exploitation facilitated by male pimps, husbands, and boyfriends, and, at times, through early marriage. Small numbers of Lebanese girls may be subjected to sex trafficking in other Arab countries. Syrian refugee men, women, and children in Lebanon are at risk of sex trafficking and forced labor. There is a reported increase in Syrian children engaged in forced street begging. Syrian girls are brought to Lebanon for prostitution, sometimes through the guise of early marriage. Some Syrian women may be forced to engage in street prostitution, and Syrian LGBT refugees are forced or coerced into prostitution by Lebanese pimps. In 2014, NGOs reported an increase in Syrian refugees forced to work in agriculture or conduct criminal activity. Syrian gangs force Syrian refugee men, women, and children to work in the agricultural sector in Beqaa Valley.

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. Despite these measures, the government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Lebanon is placed on Tier 2 Watch List for a fourth consecutive year. Lebanon was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and it has committed to devoting sufficient resources to implement that plan. The government continued to investigate and prosecute trafficking offenses; it also convicted an increased number of traffickers in 2014. Nonetheless, judicial officials were unaware of the anti-trafficking law and how to apply it, thus many trafficking offenders were not brought to justice. Although the government continued to partner with NGOs and identify and refer some victims to NGO-run protection services, the government did not thoroughly implement victim identification procedures or directly provide protection to victims. Authorities continued to arrest and detain trafficking victims among vulnerable groups for crimes committed as a direct result of being subjected to trafficking. The government's inter-ministerial coordination remained inadequate.



RECOMMENDATIONS FOR LEBANON:

Increase investigations, prosecutions, and convictions of offenders under the anti-trafficking law, including officials complicit in human trafficking; increase training for judges, prosecutors, law enforcement officials, and diplomatic personnel about the crime of trafficking and the anti-trafficking law; continue to implement standard procedures to identify trafficking victims among vulnerable populations, such as illegal migrants, women holding *artiste* visas, domestic workers, and Syrian refugees; continue to work in partnership with NGOs to identify and provide protection services to victims, and ensure identified victims are not detained for unlawful acts committed as a direct result of being subjected to trafficking; enact the labor law amendment extending legal protections to foreign workers and the draft law providing increased labor protections to domestic workers; reconvene the national anti-trafficking committee and increase efforts to effectively coordinate inter-ministerial anti-trafficking activities; and continue to conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government demonstrated uneven law enforcement efforts, as resource constraints and a lack of capacity and training hindered anti-trafficking efforts. Lebanon's 2011 anti-trafficking law prohibits all forms of human trafficking. Prescribed penalties for sex trafficking and forced labor range from five to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, the Ministry of Justice (MOJ) reported the law was applied unevenly, as most judges were unfamiliar with it and did not understand the crime.

The government remained without an explicit law to prohibit and punish employers or labor agents from confiscating workers' passports or travel documents; NGOs and government officials continued to report most employers withhold workers' passports. Nonetheless, in an unprecedented ruling in June 2014 involving a Filipina domestic worker who left her employer before completing her work contract, a judge required the employer to return the worker's confiscated passport and travel documents; the employer was not, however, investigated or charged for trafficking crimes.

In October 2014, the government issued a ministerial decree creating an anti-trafficking bureau under the Internal Security Forces (ISF) to manage all trafficking investigations. ISF investigated five cases of trafficking, while the Directorate of General Security (DGS) investigated 78 suspected cases of trafficking involving nonpayment of wages, physical abuse, and rape or sexual abuse. MOJ referred cases involving 89 suspected traffickers to the public prosecutor's office for further investigation. Officials charged 72 of these individuals under the anti-trafficking law for alleged forced prostitution, forced labor, and forced child begging. The government obtained convictions for six traffickers in cases initiated in 2014; the remaining cases were still under investigation at the end of the reporting period. In two cases initiated prior to this reporting period, four defendants were convicted in October and November 2014 under the anti-trafficking law for forced child begging; one of the perpetrators was a victim's mother. All four perpetrators received sentences of 10 years' imprisonment and other penalties. Nonetheless, government officials reported security forces were reluctant to arrest parents for trafficking their children due to a lack of social services available should the child be removed from the family. Overall, these law enforcement efforts mark a significant increase from the 14 prosecutions and zero convictions reported in 2013. The government cooperated with the Government of Liberia and investigated two Lebanese citizens who allegedly forced 10 Liberian women into domestic servitude in Lebanon; however, the investigative judge dropped the charges against the suspects because of the lack of witness testimony. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs continued to report DGS officers accepted bribes to protect adult nightclubs or issue *artiste* visas. Though there was no evidence these officers were directly involved in trafficking, one DGS official was fired in 2014 for sexually abusing a trafficking victim; the official was not, however, investigated further or prosecuted for any criminal offense. The government provided anti-trafficking training for officials, but the breadth and scope was inadequate to fully address the problem in Lebanon. In September 2014, the DGS began conducting weekly awareness sessions for its personnel, while the ISF conducted intermittent training and the Lebanese army instituted anti-trafficking training for soldiers in 2014.

PROTECTION

The government made limited progress in victim identification and protection efforts and remained without a formal system for proactive victim identification among vulnerable populations. Though the government, in coordination with a local NGO, developed and distributed formal victim identification procedures to officials in October 2014, these procedures were not systematically utilized. The government did not consistently protect victims from crimes committed as a direct result of being subjected to human trafficking, but it demonstrated some improvements in its protection efforts in the reporting period. Domestic workers

who fled abusive employers, out-of-status migrant workers, women holding *artiste* visas, and persons in prostitution were often arrested, detained, and deported without being screened for trafficking. In September 2014, an international organization reported authorities detained and failed to refer to protection services a Syrian child in prostitution. Investigative judges sometimes ordered incarceration of sex trafficking victims for prostitution violations, despite ISF officers having identified them as victims. DGS maintained a 500-person detention center in Beirut for illegal foreign migrants, many of whom were unidentified trafficking victims. While DGS did not proactively identify victims within the detention center, it permitted an NGO to do so, which continued to report an increased level of professionalism among DGS officials and investigators.

The government did not directly provide protection services to trafficking victims, but it continued to rely on an NGO safe house to provide various services to female trafficking victims; DGS was required to refer victims to the safe house and provide security for the location. The safe house assisted 117 trafficking victims in 2014, twelve of whom were identified and referred by DGS and ISF. DGS also identified and referred to protection services 10 Liberian victims of domestic servitude; upon the victims' requests, DGS repatriated all 10 victims in March 2015. Additionally, the ISF anti-trafficking bureau identified 33 potential victims of sexual exploitation and child trafficking in cases officials referred to the judiciary. In January 2015, the government signed a one-year memorandum of understanding with a local NGO to provide protection services to trafficking victims; however, this agreement did not include allocation of government funding in support of the NGO's provision of care. Though victims were permitted to file civil suits against their traffickers, government officials did not undertake a policy to explicitly encourage victims to participate in criminal prosecution of trafficking offenders. Victims who chose voluntary repatriation were often without the option for legal redress because they were not present in the country to testify. The government did not provide temporary or permanent residence status or other relief from deportation for foreign trafficking victims who face retribution or hardship in the countries to which they would be deported. The government did not adopt the draft labor law amendment extending legal protections to foreign workers nor the draft law providing increased labor protections to domestic workers.

PREVENTION

The government made limited efforts to prevent trafficking. The national anti-trafficking action plan was not formally adopted, yet relevant ministries took efforts to implement the plan. The national anti-trafficking committee did not meet during the reporting period and inter-ministerial coordination remained inadequate. Nevertheless, the government, in partnership with anti-trafficking advocates, conducted trafficking awareness campaigns in shopping centers and through television advertisements. DGS officers at Beirut International Airport continued to distribute booklets and return passports directly to migrant domestic workers upon their arrival. DGS and the Ministry of Labor (MOL) continued to operate hotlines to receive complaints, including for trafficking crimes, but it was unclear how many trafficking victims were identified through these hotlines. In 2014, the DGS also established a hotline specifically for women working in the adult entertainment industry and those who obtain *artiste* visas; DGS conducted interviews and provided the hotline number to these women before they entered this sector. DGS continued a program that distributed

anti-trafficking brochures to an unknown number of departing Moldovan *artiste* visa holders; however, Lebanese authorities did not report identifying or offering protective services to any Moldovan sex trafficking victims. DGS also began a program to pre-brief holders of the *artiste* visa about restrictions and obligations of their visa status upon arrival to Beirut International Airport; under the program, if the visa holder objects to the obligations and restrictions, she is free to return to her home country.

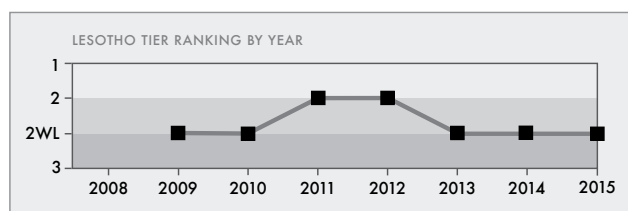
In November 2014, the labor minister banned recruitment agencies from advertising their services, a violation that could be prosecuted under the anti-trafficking law. In February 2015, the labor minister also called for the adoption of a draft law to reduce the vulnerability of migrant domestic workers, but the law was not enacted at the end of the reporting period. DGS periodically issued circulars calling on Lebanese employers to abide by guest worker regulations. MOL and DGS have the authority to close or penalize employment agencies that exploit migrant workers; MOL closed 15 agencies for committing employment violations, while DGS blacklisted 56 recruitment agencies. Throughout the reporting period, MOL and ISF required Syrian nationals to have work permits in specific sectors; this requirement increased Syrian refugees' vulnerability to trafficking by legally binding them to their employers under the sponsorship system. Lebanese peacekeeping troops continued to receive mandatory training on sexual exploitation and abuse but not specifically on human trafficking. The government made efforts to reduce the demand for forced labor in March 2015 when it closed and referred for prosecution a recruitment agency responsible for advertising short-term, cheap foreign domestic workers to the public. The government did not take any steps to reduce the demand for commercial sex acts or address child sex tourism by Lebanese nationals abroad. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

LESOTHO: Tier 2 Watch List

Lesotho is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and for men subjected to forced labor. In Lesotho and in South Africa, Basotho women and children are subjected to domestic servitude, and children—both boys and girls—increasingly endure commercial sexual exploitation. Basotho women and girls voluntarily migrate to South Africa seeking work in domestic service and upon arrival are detained in prison-like conditions or forced to engage in prostitution. Some Basotho men, who migrate voluntarily, though illegally, to South Africa for work in agriculture and mining, become victims of forced labor; many work for weeks or months before their employers turn them over to South African authorities for deportation on immigration violations to avoid paying them. Basotho are also coerced into committing crimes, including theft, drug dealing, and smuggling under threat of violence or through forced drug use. Chinese and Nigerian organized crime rings reportedly acquire Basotho victims while transporting foreign victims through Lesotho to Bloemfontein or Johannesburg. The trend of foreign nationals subjecting their compatriots to trafficking in Lesotho, first observed in 2011, reportedly continued, although no specific cases were identified by government or NGO stakeholders during the reporting period.

The Government of Lesotho does not fully comply with the minimum standards for the elimination of trafficking; however, it

is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Lesotho is placed on Tier 2 Watch List for a third consecutive year. Lesotho was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, and it has committed to devoting sufficient resources to implement that plan. The government finalized the National Anti-Trafficking in Persons Strategic Framework and Action Plan. However, the government failed to initiate any prosecutions during the reporting period and has not successfully prosecuted and punished a trafficking offender under the 2011 anti-trafficking act. In addition, it did not address systematic weaknesses—including alleged complicity and questions of jurisdiction among courts. The government identified 11 trafficking victims and referred five for care. However, overall efforts to protect victims remained minimal, as the government did not develop formal referral procedures or establish victim care centers—key elements of the 2011 anti-trafficking act that remained unimplemented for the fifth consecutive year. The government continued its reliance on NGOs to identify and assist victims, without providing funding or in-kind support for these services; during the year, this led to one NGO suspending its shelter operations.



RECOMMENDATIONS FOR LESOTHO:

Enact implementing regulations for the 2011 anti-trafficking act and address jurisdictional issues impeding the hearing of trafficking cases in the Basotho court system; increase efforts to investigate and prosecute trafficking offenses under the 2011 act, including both internal and transnational cases; provide care to victims of trafficking *via* government-run centers or in partnership with international organizations or NGOs; develop a formal system to proactively identify trafficking victims among vulnerable populations and refer them to care, in line with the 2011 act; differentiate the process of victim identification from the prosecution of trafficking offenders; provide adequate resources to support anti-trafficking efforts, especially provision of protection services such as victim witness support; increase oversight of labor recruitment agencies licensed in Lesotho; implement the national action plan and strategic framework; investigate and prosecute complicit officials; and initiate use of a data collection system to analyze data on victims identified and assisted, trafficking offenses investigated and prosecuted, and trafficking offenders convicted and punished.

PROSECUTION

The government sustained minimal anti-trafficking law enforcement efforts. The Anti-Trafficking in Persons Act, effective January 2011, prohibits and punishes all forms of trafficking in persons. It prescribes penalties of up to 25 years' imprisonment or a fine of one million maloti (\$82,850) under Section 5(1) for the trafficking of adults and up to life imprisonment or a fine of two million maloti (\$165,700) under Section 5(2) for the trafficking of children; these penalties are sufficiently stringent and commensurate

with penalties prescribed for other serious crimes, such as rape. However, a provision allowing offenders to pay a fine *in lieu* of serving prison time allows for a penalty that is not proportionate to the crime and does not provide an adequate deterrent to potential perpetrators of trafficking offenses. The Child Protection and Welfare Act, enacted in March 2011, prescribes penalties of life imprisonment or a fine of one million maloti (\$82,850) for child trafficking. Labor recruiters who knowingly recruit workers for forced labor are liable for the same penalties as those who hold them in servitude. The government completed the National Anti-Trafficking in Persons Strategic Framework and Action Plan; however, it did not complete its draft of implementing regulations necessary to enforce the anti-trafficking act. The government has never convicted and punished a trafficking offender under the 2011 anti-trafficking act and failed to initiate prosecution of trafficking offenders in 2014. The prosecution of one suspect initiated during the previous reporting period was dismissed, while the prosecution of two alleged offenders, also initiated in the previous reporting period, remained pending. In one case, the investigation was completed and the accused remained in custody because she was unable to post bail. The court date was delayed due to a "go slow" labor action by correctional officers. In the other case, the accused was charged with murder and a possible secondary charge of trafficking. The investigation had been completed and a trial was pending at the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Despite reports of complicity, including suspected traffickers exerting influence to facilitate the arrest of victims to prevent them from testifying in 2012, no investigation was conducted into these allegations. In partnership with an international organization, in June 2014, the Ministry of Home Affairs conducted a five-day training for 25 police and immigration officers, 10 labor inspectors, and 16 additional staff.

The government failed to address systemic weaknesses in its anti-trafficking response that prevented it from holding traffickers accountable. Judicial sector officials contend Lesotho's high court—which has the jurisdiction to hear trafficking cases—should not be the court of first instance, and magistrate courts—where judges have attempted to hear cases—lack jurisdiction to appropriately sentence convicted offenders or refer trafficking cases to the high court. The Directorate of Public Prosecutions, with four prosecutors assigned to handle trafficking cases, failed to initiate any trafficking prosecutions during the year. The Child and Gender Protection Unit of the Lesotho Mounted Police Service, with 116 officers and responsibility for the enforcement of criminal law pertaining to child labor, was without funding dedicated specifically to the enforcement of child labor laws and did not conduct any investigations or prosecutions of forced child labor in 2014.

PROTECTION

The government maintained its minimal efforts to protect victims during the reporting period and continued to lack formal victim identification procedures or a process to refer victims to appropriate services. The Child Gender and Protection Unit (CGPU) identified 11 potential trafficking victims and referred five to care. The Ministry of Home Affairs referred one additional victim to an NGO for assistance. The government failed to directly assist these victims or provide support to NGOs that did so during the year, despite its previous pledges to provide such NGOs financial support. As a result of the government's failure to provide such support or coordinate systematic referral of trafficking victims

to these organizations, one NGO suspended its operations in Lesotho during the year, leaving the country without any assistance available specifically for trafficking victims. During the reporting period, the government did not establish victim care centers or a fund to protect and rehabilitate victims, as required under the 2011 anti-trafficking act. Medical, psychological, legal, and life skills services were accessible to victims of crime, including trafficking, free of charge at government hospitals and clinics, and the CGPU had the capacity to provide limited counseling to such groups; it is unknown how many victims received such services in 2014. The 2011 anti-trafficking law protects victims from prosecution for unlawful acts committed as a direct result of being subjected to trafficking, provides foreign victims with permanent residency as a legal alternative to their removal, and encourages victims to assist in the investigation of traffickers; however, the government unevenly applied these provisions during the reporting period.

PREVENTION

The government increased its efforts to prevent trafficking. In July 2014, the Multi-Sectoral Committee partnered with an international organization to complete the National Anti-Trafficking in Persons Strategic Framework and Action Plan, which identifies each ministry's responsibilities in combating and creating awareness of trafficking through 2016. The Ministry of Gender produced anti-trafficking pamphlets, sponsored television and radio spots, and led door-to-door campaigns and outreach at border posts, schools, and churches.

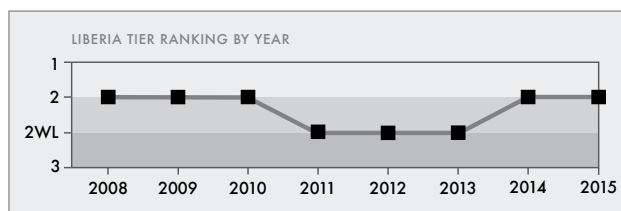
As of August 2014, the Ministry of Employment and Labor (MOEL) conducted approximately 1,330 inspections. However, the effectiveness of these inspections in identifying forced child labor was limited since they focused on the formal sector. Forced child labor was most prevalent in the informal sector where children work as domestic workers and herd boys. The government did not train labor inspectors to identify child labor and inspectors did not identify any child labor violations in 2014. MOEL issued 40 licenses to labor agents recruiting workers from Lesotho for farms and construction companies in South Africa. Although returned Basotho laborers report complaints about their working conditions abroad, MOEL only filed complaints against and suspended the permits of these companies when the violation involved many reported victims or extreme violence. There were no such suspensions in 2014. Nonetheless, the government continued to institute its agreement with the South African Ministry of Labor to cooperate on dispute resolution and information sharing on labor issues. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government did not report efforts to provide anti-trafficking training or guidance for its diplomatic personnel.

LIBERIA: Tier 2

Liberia is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking victims originate from and are exploited within the country's borders, where they are subjected to domestic servitude, forced begging, sex trafficking, or forced labor in street vending, alluvial diamond mines, and on rubber plantations. Traffickers typically operate independently and are commonly family members who promise poorer relatives a better life for their children.

Children sent to work as domestic servants for their wealthier relatives are vulnerable to forced labor or, to a lesser extent, sexual exploitation. Orphaned children remain susceptible to exploitation, including in street selling and prostitution. A small number of Liberian men, women, and children are subjected to human trafficking in other West African countries, including Cote d'Ivoire, Guinea, Sierra Leone, and Nigeria. Victims of transnational trafficking come to Liberia from neighboring West African countries, including Sierra Leone, Guinea, Cote d'Ivoire, and Nigeria, and are subjected to the same types of exploitation as internally trafficked victims. Women from Tunisia and Morocco have been subjected to sex trafficking in Liberia. During the reporting period, Liberian women were subjected to forced labor in Lebanon. Bribery at border stations, capacity issues, and generalized corruption within the judiciary continued to hamper trafficking investigations and prosecutions.

The Government of Liberia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, an outbreak of Ebola Virus Disease severely affected the country and overwhelmed the government's resources and capacity to address effectively a variety of issues, including trafficking in persons. The government did not prosecute or convict any trafficking offenders during the reporting period and failed to develop trafficking-specific protective services for victims. Additionally, despite the country's significant internal trafficking problem, the government did not identify any domestic trafficking victims during the reporting period and has yet to ever successfully convict a Liberian national for trafficking in persons. However, in March 2015, the government sent a high-level delegation to Lebanon to rescue 10 Liberian women subjected to domestic servitude and conducted an investigation to determine whether other Liberian women and girls are currently in similar circumstances. The government also continued to conduct several trainings and workshops for law enforcement and maintained public awareness-raising efforts.



RECOMMENDATIONS FOR LIBERIA:

Continue prosecuting trafficking offenses and convicting and punishing traffickers, with an increased focus on cases involving Liberian nationals; vigorously investigate, prosecute, and convict government officials complicit in trafficking offenses; provide additional training to law enforcement officials and magistrates on the application of the anti-trafficking law and differentiation of trafficking crimes from cases of human smuggling or kidnapping; implement and educate NGOs, law enforcement personnel, magistrates, and other relevant officials on the "Direct Assistance and Support to Trafficked Victims Standard Operating Procedures," so these officials learn proactively to identify and provide protective services to trafficking victims; establish and adequately fund a shelter specifically for trafficking victims; and increase efforts to educate the public about the dangers of human trafficking.

PROSECUTION

The government demonstrated a decrease in anti-trafficking law enforcement efforts. Liberia's 2005 Act to Ban Trafficking in Persons prohibits all forms of transnational and internal trafficking. It prescribes a minimum sentence of one year's imprisonment for the trafficking of adults and six years' imprisonment for the trafficking of children, but does not include a maximum sentence for the trafficking of adults. The prescribed penalties for the sex and labor trafficking of children are sufficiently stringent, but the prescribed penalties for sex and labor trafficking of adults are not, nor are they commensurate with those prescribed for other serious offenses, such as rape. The government reported three investigations, no prosecutions, and no convictions during the reporting period, which represented a decrease from six investigations, two prosecutions, and two convictions in the previous reporting period. One of the investigations, which involved 10 Liberian women who were allegedly subjected to labor trafficking in Lebanon by a Lebanese national, was pending at the close of the reporting period. In March 2015, the government sent a high-level delegation to Lebanon to rescue the women and continue the investigation in country. To date, the government has not convicted any Liberian trafficking offenders under Liberia's anti-trafficking law, despite the country's significant internal trafficking problem.

All section heads of the Liberia National Police (LNP) received basic training on how to report suspected trafficking cases to the Women and Children Protection Section (WACPS), which had the lead in investigating such crimes; however, LNP staff did not receive specialized training in investigating human trafficking crimes. WACPS continued to provide a mandatory three-week anti-trafficking training for all of its new officers. During the reporting period, the anti-trafficking taskforce conducted several trainings for 160 law enforcement and community leaders focused on the identification of victims and their traffickers; these workshops were jointly funded by the government and an international organization. Additionally, government officials conducted follow-up monitoring trips to determine the level of service delivery provided by the previously-trained law enforcement officers. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained modest efforts to identify and protect victims of human trafficking. It identified 10 trafficking victims, all of whom were adults subjected to forced labor; this is a decrease compared with the previous reporting period, during which the government identified 41 trafficking victims. In March 2015, the government rescued 10 Liberian women who were subjected to domestic servitude in Lebanon; the government repatriated the women, provided them with medical care and counseling, and placed them in a safe house. Despite the significant internal trafficking problem within the country, the government neither identified nor provided services to any internal trafficking victims during the reporting period. There remained no government-run shelters or safe homes specifically for trafficking victims in Liberia, and the government continued to rely heavily on NGOs and civil society groups to provide basic assistance and financial support to victims. Nonetheless, the government allocated the equivalent of approximately \$15,000 toward victim protection and assistance in 2014 and additional funds in 2015 to rescue and rehabilitate victims from Lebanon. The government failed to implement fully its official standard operating procedures for trafficking victim support during the reporting period. The government provides

legal alternatives to removal to countries in which victims would face retribution or hardship, such as temporary residency, on a case-by-case basis. The 2005 anti-trafficking act absolves victims from responsibility for unlawful acts committed as a result of being subjected to trafficking and there were no reports that victims were punished during the year.

PREVENTION

The government sustained modest efforts to prevent trafficking in persons. The government's anti-trafficking taskforce held monthly meetings and began implementation of the country's national action plan; however, there was no regular operating budget allocated to the taskforce, hindering the effective implementation of the plan. The Ministry of Labor continued to support anti-trafficking awareness campaigns through radio public service messages and billboards. During the reporting period, the government conducted training for law enforcement, community leaders, and civil society to raise public awareness on human trafficking. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government provided anti-trafficking training or guidance for its diplomatic personnel.

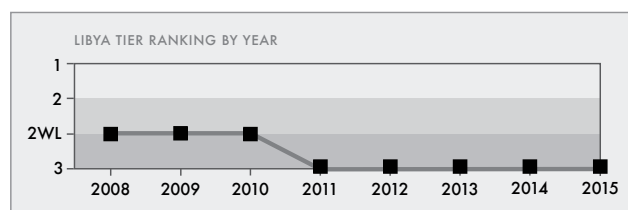
LIBYA: Tier 3

Due to large-scale violence driven by militias, civil unrest, and increased lawlessness in Libya that worsened in 2014, accurate information on human trafficking became increasingly difficult to obtain—in part due to the withdrawal of most diplomatic missions, international organizations, and NGOs from the country. Trafficking victims or those vulnerable to trafficking, such as migrant workers, who remain in the country may be vulnerable to increased violence. In February 2015, the media reported 15,000 Egyptian migrant laborers had fled Libya following the beheadings of 21 Egyptian Coptic Christians by militants of the Islamic State of Iraq and the Levant.

Libya is a destination and transit country for men and women from sub-Saharan Africa and Asia subjected to forced labor and forced prostitution. Migrants seeking employment in Libya as laborers or domestic workers or who transit Libya *en route* to Europe are vulnerable to trafficking. In 2014, an international organization reported Syrian nationals temporarily residing in Sudan preferred to travel through Libya *en route* to Italy with the use of smugglers; these Syrians are at risk of trafficking. In February 2015, the media reported a Russian trafficking network brought hundreds of Bangladeshi nationals *via* Libya to Italy, where they subsequently endured forced labor. Prostitution rings reportedly subject sub-Saharan women to sex trafficking in brothels, particularly in southern Libya. Nigerian women are at heightened risk of being forced into prostitution, while Eritreans, Sudanese, and Somalis are at risk of being subjected to forced labor in Libya. Trafficking networks reaching into Libya from Niger, Nigeria, Chad, Eritrea, Somalia, Sudan, and other sub-Saharan states subject migrants to forced labor and forced prostitution following fraudulent recruitment, confiscation of identity and travel documents, withholding or nonpayment of wages, and debt bondage. One 2014 account indicated criminal groups recruited Sudanese migrants to Libya through false job offers and subsequently forced them to work in agriculture with little or no pay. Private employers in Libya mobilize detained migrants—from prisons and detention centers, including some under the control

of the previous interim government—for forced labor on farms or construction sites; when the work is completed or the employers no longer require the migrants' labor, employers return them to detention. In previous years, migrants paid smuggling fees to reach Tripoli, often under false promises of employment or eventual transit to Europe. Once these victims crossed the Libyan border, they were sometimes abandoned in southern cities or even the desert, where they were susceptible to severe forms of abuse and human trafficking. Since 2013, numerous reports indicate militias and irregular armed groups, including some affiliated with the government, conscript Libyan children under the age of 18.

The Government of Libya does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Libya is placed on Tier 3. The government's capacity to address human trafficking was significantly hindered during the reporting period as it struggled to consolidate control over its territory and counter militia and extremist violence. Courts in major cities throughout the country ceased to function in 2014, preventing efforts to investigate trafficking crimes or bring trafficking offenders to justice. The government did not identify or provide protection services to victims of trafficking, while authorities continued to punish victims for unlawful acts that were committed as a direct result of being subjected to human trafficking. As in previous years, the government did not address reports of detained foreign migrants being sold into forced labor with the complicity of prison and detention center guards. It failed to prevent and provide protection to children under the age of 18 who were recruited and used by militia groups, some of which are affiliated with the government.



RECOMMENDATIONS FOR LIBYA:

Ensure children are not used and recruited into government and government-affiliated armed forces, and protect children who were recruited into these forces; build law enforcement capacity to investigate, prosecute, and convict trafficking offenders, including officials who are complicit in human trafficking and the recruitment of child soldiers; enact legislation that prohibits all forms of human trafficking; protect detained migrants from being sold into forced labor; and develop and implement standard procedures on identifying trafficking victims and providing victims with protection; ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration or prostitution violations; provide anti-trafficking training to law enforcement and judicial officials; and undertake an information campaign to raise public awareness about forced labor and sex trafficking.

PROSECUTION

The government did not conduct anti-trafficking law enforcement efforts. Libyan law does not prohibit all forms of human trafficking. Articles in the penal code prohibit trafficking of women for the purposes of prostitution, sexual exploitation, and slavery, and child sex trafficking; however, the articles do not address forced labor, nor are they applicable to men. Though draft amendments to

Articles 336-339 of the criminal code would criminalize trafficking in persons, the amendments remained pending since first drafted in 2010. The judicial system was not functioning in 2014 due to militia and extremist violence. Though the Ministry of Interior was nominally responsible for anti-trafficking law enforcement efforts, it was unable to carry out any operations, including those against trafficking, during the majority of the reporting period. Therefore, the government did not investigate, prosecute, or convict any trafficking offenders. Despite allegations of complicity, the government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. As in the previous reporting period, the government did not investigate or punish prison officials and detention camp guards who allowed private employers to force detained migrants to work on farms or construction sites. The government did not take efforts to investigate or punish government-aligned militias or other armed groups that recruited and used child soldiers. The government did not provide anti-trafficking training for officials.

PROTECTION

The government did not identify or provide protection to trafficking victims. The government did not have any policy structures, institutional capacity, or resources for the provision of protective services to trafficking victims. The government did not proactively identify trafficking victims among vulnerable groups, such as foreign migrants, street children, and women and girls in prostitution. It also failed to take measures to protect children recruited by militia groups, some of which were aligned with the government, as well as children recruited by informal military units. The government did not protect trafficking victims from punishment for unlawful acts committed as a direct result of being subjected to human trafficking; trafficking victims were frequently treated as illegal migrants and subjected to detention, punishment, and deportation for various offenses, including prostitution and illegally working and residing in Libya. Furthermore, authorities made no effort to protect detained foreign migrants, who continued to be sold into forced labor by private employers on farms and construction sites. The government did not encourage victims to participate in the investigation and prosecution of trafficking offenders. It did not provide foreign trafficking victims with legal alternatives to their removal to countries where they faced hardship or retribution.

PREVENTION

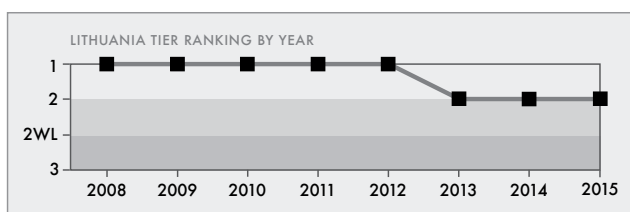
The government lacked the institutional capacity and resources to prevent human trafficking, and it did not display the political will to prioritize such efforts. The government did not have a national coordinating body responsible for combating human trafficking. The government did not conduct any public anti-trafficking awareness campaigns, nor did it take actions to reduce demand for commercial sex acts or forced labor or to prevent child sex tourism. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. While ministerial regulations prohibited the recruitment and use of child soldiers, the government took no steps to prevent the recruitment and use of children by militia groups and affiliated armed groups operating throughout the country.

LITHUANIA: Tier 2

Lithuania is a source, transit, and destination country for women and

girls subjected to sex trafficking, as well as a source and destination country for men subjected to labor trafficking. Observers estimate 40 percent of identified Lithuanian trafficking victims are women and girls subjected to sex trafficking within the country. Lithuanian women are also trafficking victims in Western Europe and Sweden. Lithuanian children and adults are increasingly forced to engage in criminal activities, such as shoplifting, theft, and drug-selling, in Nordic countries and Western Europe. Some Lithuanian men are subjected to forced labor in the United Kingdom and the United States, including in agriculture. Men from Bulgaria may be subjected to labor trafficking in Lithuania. The approximately 4,000 boys and girls institutionalized in state-run orphanages are especially vulnerable. Officials of several orphanages are allegedly complicit or willfully negligent to the sex trafficking of girls and boys under their care.

The Government of Lithuania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the legislature strengthened its criminal code, and the Supreme Court intervened to protect victims and advocate for appropriate punishments for convicted traffickers. Authorities initiated more prosecutions and convicted more traffickers than in the previous year. Authorities launched investigations into child sex trafficking rings operating in state-run orphanages, amid reports of children subjected to trafficking or vulnerable to trafficking by complicit officials in the orphanages. Investigators, police, prosecutors, and judges did not receive sufficient training to more consistently apply the anti-trafficking statute or to treat victims appropriately. Victim protection lagged, as public funding for care providers did not sufficiently cover victim assistance costs. Authorities did not proactively identify victims among vulnerable populations or consistently refer them to care. The government lacked a formal inter-ministerial body to coordinate whole-of-government efforts and a methodical system to deliver specialized care to child victims.



RECOMMENDATIONS FOR LITHUANIA:

Provide effective training for all police officers on the identification, referral, and appropriate treatment of victims, including by integrating an anti-trafficking module into the basic training for the police; sustainably fund NGOs to provide victim protection; prevent the sex trafficking of children institutionalized in state-run orphanages, including through the prosecution of complicit or negligent orphanage authorities; improve training of investigators and prosecutors on building trafficking cases and working with victim witnesses; improve judicial understanding of trafficking and sensitivity toward victims of sex trafficking; vigorously investigate and prosecute trafficking offenses, including labor trafficking offenses; provide all victims access to shelter and trafficking-specific assistance, particularly adult and male child victims; intensify efforts to identify victims proactively, particularly victims of labor trafficking and children in prostitution; and convene a formal inter-ministerial committee to coordinate whole-of-government anti-trafficking efforts.

PROSECUTION

The government demonstrated progress in law enforcement efforts. Lithuania prohibits all forms of trafficking through Articles 147 and 157 of its criminal code, which prescribe penalties ranging from two to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2014, the legislature amended Articles 307 and 308, which criminalize gaining profit from or involving a person in prostitution; these amendments increased the prescribed penalties and removed a provision that had permitted judges to consider whether children had consented to being prostituted, since Article 157, as well as international law, classify the prostitution of children, without regard to "consent," as trafficking in persons.

Lithuanian authorities initiated investigations of 24 cases in 2014, compared to 23 in 2013. Authorities initiated prosecutions of 40 defendants, an increase from 18 in 2013. The government convicted 18 traffickers under Articles 147 and 157, compared with 11 in 2013. All but one trafficker convicted in 2014 were sentenced to time in prison, with terms ranging from 18 months to seven-and-a-half years' imprisonment. The government collaborated with foreign counterparts in two international trafficking investigations. In March 2015, prosecutors announced an investigation into the director of an orphanage who had allegedly operated a sex trafficking ring inside the institution, offering young boys to pedophiles. In January 2015, prosecutors announced the investigation of a state-run residential institution for children with special needs; allegedly, teenage residents had been subjecting girl residents to sex trafficking. In the latter case, the orphanage's director defended her institution by saying such activity is common at all Lithuanian orphanages.

The government did not include trafficking information in basic training for police cadets, though authorities did provide or co-sponsor *ad hoc* trainings attended by 130 law enforcement officials. The national police force designated eight officers to lead trafficking investigations, and the General Prosecutor's Office designated six prosecutors. Observers reported shortcomings in police recognition of trafficking victims among individuals in prostitution, and investigators and prosecutors were reportedly reliant on victims' testimony to prove a trafficking case. Observers also noted shortcomings in police ability and willingness to work with trafficking victims, as traumatized victims required more time and patience on the part of law enforcement to build a case. Law enforcement and service providers did not consistently coordinate effectively, further hampering investigations requiring victim testimony. Observers reported concerns with judicial understanding of human trafficking. The government made efforts to sensitize judges to the victimization of children exploited in prostitution. In 2014, the Supreme Court ruled that a lower court must re-evaluate sentences issued to two men convicted of subjecting three 14- and 15-year-old girls to sex trafficking; the lower-court judge sentenced the men to 150 hours of community service and made a derogatory comment about the victims' appearance.

PROTECTION

The government demonstrated some efforts to assist victims. Lithuanian courts officially identified 30 trafficking victims, compared with 15 in 2013. Authorities identified 47 potential victims from investigations started in 2014, the same as in 2013. NGOs receiving a mix of public and private funding provided support to 133

trafficking victims and at-risk individuals in 2014, compared to 129 individuals in 2013. Although the government had official procedures to identify trafficking victims among vulnerable populations—such as women in prostitution, street children, and undocumented migrants—observers reported these procedures were not effective in practice. Observers also reported authorities did not consistently refer identified victims to care facilities for assistance in all parts of the country. The central government provided NGOs 149,400 litas (\$50,900) for victim assistance programs, the same amount as the previous year. However, experts reported NGOs needed to resort to private funding to prevent a reduction in their victim care activities. Government-funded NGOs offered female trafficking victims shelter, medical and psychological assistance, and legal aid. Government-funded men's crisis centers had the capacity to provide assistance, to include finding shelter, though not all police officers were aware of this service. The government did not ensure the provision of specialized care for child trafficking victims, as authorities placed child victims in foster homes and mixed-use shelters.

The government offered foreign victims of trafficking a 30-day reflection period to decide whether to cooperate with law enforcement. Foreign victims cooperating with law enforcement could receive temporary residency. Authorities did not identify any foreign victims in 2014. Lithuanian law permits authorities to use video conferencing and other technologies in the courtroom, which could be used to prevent re-traumatization of trafficking victims, but courts still had limited technical capabilities. The government provided legal representation to victims; however, observers reported the attorneys were not trained on trafficking issues and frequently lost victims' civil cases in court. The government took steps to prevent victims from being punished for crimes committed as a direct result of their being subjected to trafficking. In one case, the Supreme Court exonerated a child trafficking victim who had been prosecuted for using illegal drugs with his traffickers while waiting for a planned police raid.

PREVENTION

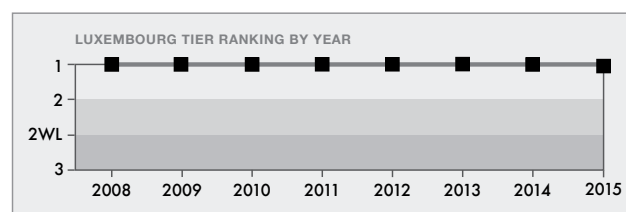
The government continued some prevention efforts. The government continued to lack an official interagency task force to coordinate whole-of-government efforts, including developing and adequately funding prevention activities. However, a working group established by the General Prosecutor's Office met five times during the year to develop standards to identify victims and best practices for investigations. Government action to prevent the sex trafficking of boys and girls in orphanages was limited, though in March the Ministry of Social Affairs announced a plan to deinstitutionalize children in protective custody. The government sponsored informational seminars for social workers and presentations at institutions providing social services, such as foster homes and high schools. The police advertised and managed an e-mail account that the public could use to report potential human trafficking situations and ask for advice; the police received approximately 50 messages during the reporting period. The government provided anti-trafficking training or guidance for its diplomatic personnel. The Lithuanian government made some efforts to reduce the demand for commercial sex.

LUXEMBOURG: Tier I

Luxembourg is a destination country for men, women, and

children subjected to sex trafficking and forced labor. Victims of sex trafficking from Europe, Africa, Asia, and South America are exploited in prostitution in cabarets, private apartments, and on the street. Forced labor, sometimes involving Chinese or Eastern or Southern European men, women, and children, occurs in various sectors, including restaurants and construction. Traffickers reportedly transport an unknown number of Romani children from neighboring countries for forced begging in Luxembourg. Groups vulnerable to trafficking include migrant workers in domestic work, catering, construction, and begging, as well as unaccompanied foreign children, and people in Luxembourg's legal and illegal sex trade. Several police officers have been accused of pimping crimes in recent years.

The Government of Luxembourg fully complies with the minimum standards for the elimination of trafficking. The government strengthened regulations related to victim assistance, increased awareness raising and prevention efforts, and funded anti-trafficking training. However, authorities continued to issue short and suspended sentences to traffickers and did not formalize a national referral mechanism on identification of, and provision of assistance to, trafficking victims.



RECOMMENDATIONS FOR LUXEMBOURG:

Vigorously prosecute, convict, and sentence labor and sex traffickers, including complicit officials, with sufficiently stringent prison sentences; finalize the national referral mechanism to guide front-line responders in how to proactively identify all types of trafficking victims and refer them to available services and protection; revise the trafficking law, including Art. 382-1, to clarify that force, fraud, or coercion are core elements of the crime of trafficking of adults; train law enforcement that subjecting a child to prostitution constitutes a trafficking offense; implement the planned national campaign to raise awareness of forced labor; sex trafficking, and the demand for human trafficking; establish a hotline with operators trained to assist victims; allow non-EU trafficking victims access to Luxembourg's labor market; provide adequate resources to law enforcement and government officials to proactively assist victims and identify labor and sex trafficking cases; and work collaboratively with the national rapporteur to critically assess efforts and make recommendations to improve the government's response to human trafficking.

PROSECUTION

The government demonstrated progress in holding traffickers accountable with prison time. Luxembourg prohibits all forms of both sex and labor trafficking through Articles 382-1 and 382-2 of the criminal code, although Article 382-1 is overly broad and could be used to prosecute non-trafficking cases, as force, fraud, and coercion are aggravating factors that increase penalties rather than a means to commit the offense. In April 2014, the government passed legislation that explicitly prohibits forced begging and the sale of children. The prescribed penalties for trafficking offenses range from three to 10 years' imprisonment for adult trafficking and 10 to 20 years' imprisonment for child trafficking. These

penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

Luxembourg City's vice squad unit consisted of skilled officers but was small in size, covered a variety of crimes in addition to human trafficking, and continued to lack resources. During the reporting period, authorities launched 10 investigations, seven for sex trafficking and three for labor trafficking, while initiating prosecutions of four new sex trafficking and two new labor cases. Three ongoing cases with a total of nine defendants were ready for trial as of April 2015. The government convicted five sex traffickers in 2014, the same number as in 2013. Four offenders received sentences from 24 to 36 months' imprisonment, with 12 to 24 months' suspended and fines. One offender received 36 months' imprisonment with no suspended sentence. While convicted traffickers continued to receive suspended sentences, all the traffickers spent some time in prison, improving deterrence of trafficking offenses. Authorities convicted three police officers for pimping in connection with a 2012 trafficking case and prescribed penalties of between six months' and 12 months' suspended sentences and fines ranging from 1,500 to 2,000 euro (\$1,610 to 2,150). The officers were banned from public service for five years. The government funded an NGO-led training on identifying and assisting trafficking victims for police, immigration officers, and other government officials, and also funded five judges and prosecutors to participate in anti-trafficking training at a foreign magistrate's school.

PROTECTION

The government demonstrated some progress in the protection of trafficking victims. Authorities identified 11 sex and labor trafficking victims—including 10 adults and one child—in 2014 compared with 14 victims identified in 2013. Authorities began drafting a formal national referral mechanism for all front-line responders, including labor inspectors, immigration officials, health workers, child welfare officials, and others in how to identify proactively all types of trafficking victims and refer them to available services. A grand ducal decree issued in 2014 specifies when trafficking victim assistance is available and the types of assistance to which victims are entitled; it also establishes an official mandate for NGOs to assist victims. The government provided shelter and other services to 10 of the 11 identified victims during the reporting period—four female sex trafficking victims and six male labor trafficking victims. The government had policies in place to encourage trafficking victims to assist in the prosecution of trafficking offenders, including legal alternatives to removal to countries in which victims would face retribution or hardship. Trafficking victims were entitled to a 90-day reflection period to decide whether they wanted to testify, during which EU citizens could work. Upon expiration of the reflection period, the government could issue a foreign victim either temporary or permanent residence status, depending upon the victim's willingness to cooperate with law enforcement and whether the victim was an EU or non-EU national. The government provided five trafficking victims with temporary residence permits in 2014 and 2015 and long-term residency for one victim from a previous year. There were no reports authorities penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

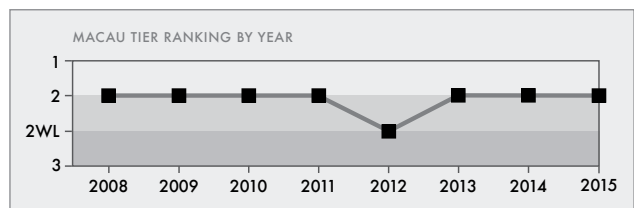
The government increased anti-trafficking prevention efforts. Since 2008, Luxembourg has lacked a national anti-trafficking

awareness campaign; however, the government announced and committed funds to implement a campaign in 2015. Authorities published a brochure, which defined and described the types of trafficking indicators to identify victims, and provided contact information to report suspected trafficking. The government's inter-ministerial trafficking coordinating committee met five times during the reporting period. The new national rapporteur on trafficking in persons compiled a non-public report to the European Commission. The government reported drafting a national action plan to combat trafficking in persons. Authorities did not undertake any measures to reduce demand for commercial sex acts or forced labor in 2014. The government provided anti-trafficking training or guidance for its diplomatic personnel.

MACAU: Tier 2

The Macau Special Administrative Region (MSAR) of the People's Republic of China is primarily a destination and, to a much lesser extent, a source territory for women and children subjected to sex trafficking and forced labor. Sex trafficking victims originate primarily from mainland China; many are from inland Chinese provinces and travel to the border province of Guangdong in search of better employment. Some are from Mongolia, Vietnam, Ukraine, Russia, and Tanzania. Many trafficking victims fall prey to false advertisements for jobs, including in casinos in Macau, but upon arrival are forced or coerced into prostitution. Victims are sometimes confined in massage parlors and illegal brothels, where they are closely monitored, threatened with violence, forced to work long hours, and have their identity documents confiscated. Chinese, Russian, and Thai criminal syndicates are believed to be involved in recruiting women for Macau's commercial sex industry. Children are reportedly subjected to sex trafficking on the premises of casinos in Macau.

Macau authorities do not fully comply with the minimum standards for the elimination of trafficking; however, they are making significant efforts to do so. Authorities convicted six traffickers and continued to build judicial and prosecutorial capacity by training officials. Authorities, however, did not identify any labor trafficking victims and identified only five sex trafficking victims, compared with 30 in 2013.



RECOMMENDATIONS FOR MACAU:

Increase efforts to investigate, prosecute, and convict sex and labor traffickers; continue to improve and consistently implement proactive victim identification methods, especially among vulnerable populations such as migrant workers and children in prostitution in casinos; continue to educate law enforcement and other officials and the public on forced labor and sex trafficking; conduct sex trafficking awareness campaigns so that visitors in Macau understand soliciting or engaging in prostitution with children is a crime; and conduct a survey of the migrant labor population in Macau in order to identify its vulnerability to trafficking.

PROSECUTION

Authorities sustained anti-trafficking law enforcement efforts during the reporting period. Macau's anti-trafficking law, Law Number 6/2008, housed within the Penal Code, prohibits all forms of trafficking in persons and prescribes penalties of three to 15 years' imprisonment, punishments which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law enforcement and judicial capacity constraints continued to remain as major challenges in addressing trafficking crimes.

Authorities conducted investigations of five sex trafficking cases, a decrease from 34 investigations in 2013. Prosecutors initiated three sex trafficking prosecutions, the same as in 2013, involving an unknown number of defendants. One case involving one defendant was tried under Macau's anti-trafficking law but was subsequently dismissed; three other cases—including one from a previous year—remained pending in court. Authorities convicted six traffickers from prosecutions initiated in previous years, an increase from zero in 2013. The traffickers received sentences ranging from 1.5 to five years' imprisonment. Prosecutors continued to use the "procuring of prostitution" provision for many cases with elements of trafficking. This crime has simpler evidentiary standards but carries lighter penalties than the trafficking law. Authorities reported pursuing three investigations regarding fraudulent employment offers, but the trafficking nexus was not made clear. For the 10th consecutive year, authorities did not report any prosecutions or convictions for labor trafficking.

In addition to providing standard trafficking awareness training to all judiciary police and public security police officers, authorities organized and attended numerous anti-trafficking trainings during the year. Macau's anti-trafficking committee continued to host seminars on forced labor and victim identification for inspectors and law enforcement personnel. In October 2014, judges, prosecutors, lawyers, and other legal experts received training on human trafficking at the Legal and Judiciary Training Center. Authorities reported cooperating with mainland Chinese and Hong Kong authorities on anti-trafficking efforts through intelligence exchanges and joint investigations. Authorities did not report any investigations, prosecutions, or convictions of government employees for complicity in human trafficking offenses.

PROTECTION

Authorities demonstrated decreased efforts to protect trafficking victims. Authorities identified five victims of forced prostitution, a sharp decline from 38 in 2013, in which 24 were children victims. Four victims were from mainland China and one was from Tanzania—the first time authorities identified a victim in Macau from outside of Eurasia. Authorities failed to identify victims of forced labor in 2014. The Social Welfare Bureau (SWB) reported assisting and offering shelter to all identified victims in cooperation with local NGOs. Authorities designated 21 beds for female trafficking victims at a shelter managed by the SWB. Macau authorities decreased funding to 1.8 million pataca (\$230,000) from 3 million pataca (\$375,000), to fund and support trafficking victim protection measures. Authorities continued inspections for labor trafficking and reported identifying 108 potential victims to fill out questionnaires; this did not lead to formal investigations, protections, or assistance for victims. The SWB continued to operate a shelter for male victims, though authorities did not report any male victims during the reporting period. Authorities had a formal victim identification process, operational referral

process, and standardized screening questionnaire that guided law enforcement, immigration, and social services personnel. Authorities sustained an existing partnership with local NGOs to provide interpreters to assist in interviewing foreign trafficking victims and to operate a 24-hour general hotline that could be used by trafficking victims. Authorities encouraged victims to assist in the investigation and prosecution of trafficking crimes by providing temporary shelter and assistance, but reported difficulty persuading victims to cooperate. Authorities had a policy of offering foreign crime victims legal alternatives to removal to countries in which they would face retribution or hardship; however, no trafficking victims were known to have sought this immigration relief. The legal system allows for civil remedies, but no victim was known to have pursued this option in 2014.

PREVENTION

Authorities sustained efforts to prevent forced labor and sex trafficking. The Labor Affairs Bureau (LAB) and law enforcement agencies continued to disseminate thousands of leaflets, pamphlets, video clips, and posters to raise awareness of labor trafficking. LAB continued a trafficking awareness education project in high schools, holding 33 workshops in 2014. Macau continued to implement a revised policy that foreign workers who are fired or quit a job are exempt from waiting six months before obtaining a new job; this waiting period previously made migrants vulnerable to forced labor. The authorities received 1,997 labor-related complaints but reported no potential trafficking cases among them. Authorities did not report how many people benefited from this amended provision. In an attempt to reduce demand for commercial sex acts, law enforcement authorities continued to combat the distribution of prostitution-related advertisements and increased the number of inspections of illegal brothels. These efforts, however, did not appear to significantly reduce demand for prostitution in casinos, night clubs, saunas, and other areas known for such activities. Authorities did not report any investigations or prosecutions for child sex tourism.

MACEDONIA: Tier I

Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Macedonian women and girls are subjected to sex trafficking and forced labor within the country in restaurants, bars, and nightclubs. Children, primarily Roma, are subjected by relatives to forced begging and sexual exploitation through forced marriages. Foreign victims subjected to sex trafficking in Macedonia typically originate from Eastern Europe, particularly Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia, and Ukraine. Macedonian citizens are subjected to sex trafficking and forced labor in construction and agricultural sectors in Southern, Central, and Western Europe. Traffickers frequently use a portion of the proceeds from exploiting victims to bribe police and labor inspectors. Police have been investigated and convicted for complicity in human trafficking.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government investigated seven police officers for complicity in trafficking crimes and prosecuted and convicted four. The government decreased total prosecutions and convicted the fewest number of traffickers in five years. The government increased funding for victim assistance and identified the first forced begging victim but identified fewer

total victims compared with 2013. The government continued to screen children engaged in street selling and begging for trafficking and operated mobile outreach teams with NGOs to identify and refer victims. The government did not offer specialized services for male victims, and victims had difficulty accessing compensation. Training for law enforcement and other officials was *ad hoc* and supported by outside funding.



RECOMMENDATIONS FOR MACEDONIA:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials; train law enforcement, judges, and prosecutors on a victim-centered approach; regularly train law enforcement officials, labor inspectors, and other officials on proactively identifying trafficking victims, particularly among child beggars, irregular migrants, and asylum seekers; provide accommodation to foreign trafficking victims in safe and appropriately rehabilitative settings and allow victims to leave shelters at will; provide specialized services for male trafficking victims; improve compensation mechanisms for victims and inform them of their right to seek restitution; adequately protect victims and witnesses to prevent intimidation and re-traumatization during court proceedings; raise public awareness of labor trafficking and forced begging.

PROSECUTION

The government decreased law enforcement efforts. The government prohibits all forms of trafficking, including forced begging and forced criminality, in Articles 418(a) and (d) of its criminal code, which prescribe a minimum penalty of four years' imprisonment for trafficking of adults and eight years' imprisonment for trafficking of children. This is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In February 2014, the government added Article 191(a) on child prostitution, which enables the prosecution of an individual who involves a child aged 14 to 17 in prostitution and prescribes a minimum penalty of four years' imprisonment. The passage of this offense could enable prosecutors to convict traffickers of this lesser offense rather than the offense of child sex trafficking, which carries greater penalties. In 2014, the government opened three new investigations involving three suspects, compared with one investigation involving one suspect in 2013; two investigations involved sex trafficking and one involved forced begging. The government initiated prosecutions against five alleged traffickers, compared with seven in 2013. In 2014, courts convicted only two traffickers, the lowest number of convictions since 2009. One trafficker was sentenced to two years' imprisonment for labor trafficking. The other trafficker was sentenced to 13 years' imprisonment for organizing a criminal group to commit smuggling or trafficking crimes and for child trafficking for forced marriages, some of which may have involved forced labor. Some police and labor inspectors reportedly accepted bribes related to trafficking crimes. A police officer prosecuted in 2013 for organizing a criminal group for migrant smuggling and human trafficking was convicted in September 2014 and sentenced to one-and-a-half

years in prison. The government investigated seven police officers in 2014 for suspected involvement in organizations engaged in trafficking. Four officers were prosecuted and convicted and three remained under investigation at the end of the reporting period.

PROTECTION

The government demonstrated mixed progress on victim protection. The government formally identified seven victims in 2014, a decrease from 15 in 2013. Six victims were minors, and one was an adult male. Three victims were subjected to sex trafficking, three to sexual and labor exploitation through forced marriages, and one to forced begging. The adult male victim was the first victim of forced begging identified by the government. The government referred four Macedonian victims to a shelter for domestic trafficking victims and one foreign victim to a holding center for irregular migrants, which offered separate facilities for foreign trafficking victims. Both facilities were jointly run by the government and NGOs and could house male, female, and child victims. The domestic shelter allowed victims freedom of movement, but foreign victims could not leave the migrant facility until they were granted a temporary residence permit. Observers reported the migrant facility was overcrowded and unsanitary. The government and NGOs assisted 74 potential victims during the reporting period, 54 of whom stayed at the domestic shelter and 20 at the migrant facility. Police officers, labor inspectors, social workers, and NGOs used a national referral mechanism to refer potential victims and received training on victim identification. NGOs reported the referral process was effective. The government operated six joint mobile units in collaboration with NGOs that identified and referred victims.

The government spent approximately 9 million denars (\$183,000) on victim protection and assistance in 2014, compared with 5 million denars (\$102,000) in 2013. Approximately 6 million denars (\$122,000) went to the migrant facility that housed potential foreign victims of trafficking, 663,036 denars (\$13,500) to the domestic victims' shelter, and 1.5 million denars (\$30,500) to five NGOs providing victim assistance. NGOs relied on private funding to support victims' daily activities at the shelters. Foreign and domestic victims were entitled to accommodation, psychological and medical assistance, and legal representation. Domestic victims could receive reintegration support, including education and job placement, offered by 30 government-run social welfare centers in collaboration with NGOs. Specialized assistance was not available for male victims. The law permitted foreign victims a two-month reflection period to decide whether to testify against their traffickers and a six-month temporary residence permit thereafter, regardless of whether they chose to testify; the government granted one victim a residence permit in 2014, compared with two in 2013. Social workers and police identified 33 potential forced labor victims among predominately Romani children engaged in street begging and street vending; the government placed them in daycare centers and orphanages and warned, fined, or jailed their parents. NGOs reported a lack of sensitivity toward victim witnesses by law enforcement, including unnecessary repeated interviews during investigations and prosecutions. All victims identified in 2014 testified against traffickers. While victims can claim restitution through civil proceedings, no victims have ever successfully completed a claim due to the complexity of the legal process. There were no reports of trafficking victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government maintained prevention efforts. The national anti-trafficking commission, comprising nine government agencies, seven international organizations, and seven NGOs, met regularly to coordinate the government's anti-trafficking efforts and implement the 2013-2016 national action plan. The government allocated 23.5 million denars (\$478,000) in 2014 for implementation of the national action plan over a four-year period. The national committee and labor ministry developed new indicators to improve identification of labor trafficking victims. The government and NGOs conducted seminars for Romani students, teachers, and NGOs on the risks of forced marriages of minors. The government established a third local anti-trafficking committee in Shtip to coordinate local awareness, prevention, and protection activities, in addition to the two established in Bitola and Tetovo in 2013. The government, in coordination with NGOs, organized trafficking presentations and workshops in elementary and high schools and universities. The government continued a television campaign to reduce client demand for sex and labor trafficking. The government provided diplomats basic training on human trafficking and distributed in its protocol section a handbook on preventing trafficking for domestic servitude in diplomatic households. The government investigated allegations that the former Macedonian ambassador to Doha failed to pay his Indian driver and restricted his movement.

MADAGASCAR: Tier 2

Madagascar is a source country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Malagasy children, mostly from rural areas, are subjected to prostitution, domestic servitude, and forced labor in mining, fishing, and agriculture within the country. Most child sex trafficking occurs with the involvement of family members, but friends, transport operators, tour guides, and hotel workers also facilitate the trafficking of children. Informal employment agencies recruit child domestic workers who are subsequently subjected to forced labor. Some children are fraudulently recruited for work in the capital as waitresses, maids, and masseuses before being exploited in prostitution. Government officials, NGOs, and international observers report child sexual exploitation continues to be widespread in the coastal cities of Toamasina, Toliara, Antsiranana, Nosy Be, Mahajanga, and Fort-Dauphin—top tourist destinations. Over the past three years, prostitution of boys has emerged as a growing problem. Child prostitution is prevalent, particularly around the formal and informal mining sites of Toamasina and Ilakaka, respectively. Malagasy men are the main clients of prostituted children, while most child sex tourists are French and Italian nationals, with some reports of sexual exploitation of children by other Western nationals and Comorans.

It is estimated that thousands of Malagasy women are employed as domestic workers in Lebanon, Kuwait, and Saudi Arabia; a smaller number of workers seek employment in Jordan, Mauritius, and Seychelles. Many of the women migrating are illiterate single mothers from rural areas and vulnerable to deception and abuse by recruitment agencies and employers. Trafficking victims returning from Gulf countries report various forms of abuse and exploitation. Reports suggest Malagasy men in the Middle East also endure exploitation through forced labor in the service and construction sectors. Malagasy women continue to be sent to China with falsified identity cards and exploited in forced labor and sold as brides. Malagasy men have been subjected to forced

labor aboard Chinese-flagged fishing vessels in South Africa's territorial waters. NGOs report government officials' complicity in obtaining falsified national identity cards, which facilitates the sexual exploitation of children for commercial sex in Madagascar and the domestic servitude of Malagasy women abroad. Reports indicate public officials purchase sexual services from children in Antananarivo and Nosy Be, primarily in child sex tourism destinations. Police allegedly encourage financial arrangements between victims and their offenders, rather than pursuing charges, which perpetuates impunity.

The Government of Madagascar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. It adopted a five-year national action plan and established a National Bureau to Combat Human Trafficking, a new coordinating structure that it pledged to support with staff and a budget. The government also passed a new comprehensive anti-trafficking law, and prosecutors secured the first three convictions under the new law in the two months following its promulgation. The government also secured its first three labor trafficking convictions under the 2007 anti-trafficking act, bringing the total number of trafficking convictions during the reporting period to six. Overall, authorities investigated 187 cases of sexual exploitation of children, an increase from the 68 trafficking cases the previous year. The government continued to lack formal procedures to proactively identify trafficking victims among vulnerable populations and did not systematically provide services or refer victims to NGOs for care. The government made efforts to work with transit countries to prevent labor trafficking, but it failed to make headway with destination country governments on protection and legal remedies for exploited Malagasy workers. There were reports that officials were complicit in trafficking, though the government did not investigate or prosecute officials allegedly responsible for these offenses. Nonetheless, one high-ranking official, who had been criticized for failing to protect trafficking victims and suspected of corruption, was removed from his position.



RECOMMENDATIONS FOR MADAGASCAR:

Implement the new anti-trafficking legislation to investigate and prosecute all trafficking offenses; provide adequate funding to the National Bureau to Combat Trafficking and promote coordination between the bureau, NGOs, and international partners; increase efforts to raise public awareness of labor trafficking, including the labor trafficking of adults; develop formal procedures for and provide training to officials on how to adequately identify victims, investigate cases, and refer victims to appropriate services; monitor and regulate recruitment agencies and bolster consular services in the Middle East; work with destination country governments to guarantee protections for Malagasy domestic workers and jointly address cases of abuse; improve data collection on law enforcement efforts to combat trafficking, including the number of victims identified, cases investigated and prosecuted, and the number of convictions of trafficking offenders with those governments; and

vigorously investigate and prosecute government officials suspected of complicity and seek convictions and adequate punishments.

PROSECUTION

The government demonstrated some progress in anti-trafficking law enforcement efforts. In December 2014, the National Assembly passed updated anti-trafficking legislation—Law No. 2014-040—broadening the scope of the previous legislation to cover sexual exploitation, labor trafficking, forced labor, forced begging, and debt bondage. The new law imposes stringent penalties for trafficking offenses, ranging from two to five years of imprisonment and a 1-10 million ariary (\$385-3,850) fine, and stiffer penalties of five to ten years of imprisonment and fines ranging from 2-10 million ariary (\$ 770-3,850) for trafficking crimes committed against children. The new legislation complements the previous Anti-Trafficking Law No.2007-038, which prescribes punishments for sex trafficking, ranging from two years' to life imprisonment, which is sufficiently stringent and commensurate with those prescribed for other serious crimes such as rape.

During the reporting period, the National Police's Morals and Minors Brigade investigated 187 cases of sexual exploitation of children between the ages of 5 and 18, some of which may have included trafficking, an increase from the 68 trafficking cases investigated the year prior. Fifteen cases of labor trafficking were prosecuted. In one case, the government prosecuted 11 alleged traffickers for the illicit recruitment of migrant workers; three were convicted of trafficking offenses under Law 2007-038 but sentenced only to two-year suspended prison sentences and fines of 1 million ariary (\$385), which is an inadequate deterrent for traffickers. The government prosecuted seven other suspected traffickers under the new 2014 anti-trafficking law and obtained three convictions. There were six convictions reported for the year. Total national statistics on prosecutions and convictions remained difficult to track, due to a lack of coordination between law enforcement and the courts and poor record keeping; therefore, there may have been additional prosecutions and convictions. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses, despite widespread corruption and allegations of complicity.

PROTECTION

The government sustained efforts to protect victims. It continued to lack formal procedures to proactively identify trafficking victims among vulnerable populations and did not systematically provide services or refer victims for care. The Ministry of Population and Social Affairs, in collaboration with an international organization, continued to coordinate approximately 450 child protection networks across the country. These networks are mandated to protect children from various forms of abuse and exploitation, as well as ensure access to medical and psychosocial services for victims. However, the care was at times inadequate, the standard of care was uneven from one region to another, and it remained unclear if some of the networks provided services to trafficking victims during the reporting year. Officials continued to operate and fund the Manjary Soa Center in Antananarivo, which removed 35 child victims from situations of exploitative labor and sex trafficking. The center provided medical care and, based on the ages of the victims, either reintegrated them into the public school system or provided vocational training. On March 4, with support from an international organization, the Vonjy Center was launched at the Befalatana public hospital in the capital as part of

an integrated approach to victim care, designed to address the needs of victims of sexual violence including trafficking victims. With medical providers, social workers, and two elements of the minors brigade permanently posted under one roof, this assistance center is designed to address the needs of victims of sexual violence, including trafficking victims. There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking, yet three children were committed to a group home for obtaining false documents with the intent of working abroad. The government remained without formal procedures to encourage victims to assist law enforcement in the prosecution of their traffickers; however, the police reported some victims were active participants in the investigations of their alleged traffickers. Under the new anti-trafficking legislation passed December 2014, victims are guaranteed compensation for reintegration and medical care; this provision had not yet been implemented during the reporting period, reportedly due to a lack of funding.

During the reporting period, many trafficking victims continued to return from the Middle East, where they were subjected to various forms of abuse while working in domestic service. The government failed to engage with foreign governments regarding the protection of and legal remedies for exploited Malagasy workers. However, it did make modest efforts to assist in the repatriation of eight Malagasy migrants from Comoros, Mauritius, and Ethiopia. Upon repatriation, the vast majority of Malagasy trafficking victims arrived destitute and in need of psychological and medical services; the government failed to provide victims with resources or assistance and continued to rely heavily on NGO support.

PREVENTION

The government continued efforts to prevent trafficking. During the reporting year, the government formally adopted a five-year national action plan to combat human trafficking and pledged to commit staff and 38.95 million ariary (\$15,000) toward its implementation in 2015. On March 3, the government adopted a decree creating the National Bureau to Combat Human Trafficking, which will coordinate the implementation of the national action plan, determine policy, and monitor prosecution of human trafficking cases. The newly adopted decree requires an annual budget line for the bureau, as part of the national budget. A 2013 ban on domestic worker travel to high risk countries remained in place during the reporting period, which according to officials, led to a decrease in the number of migrant workers leaving for Gulf countries; however, illicit recruiting agencies continue to circumvent the ban by sending workers through Mauritius, Kenya, South Africa, and Comoros, and NGOs continued to report trafficking victims in Gulf countries and Malagasy women trafficked and sold as brides in China. The government did not make efforts to improve its oversight of recruitment agencies.

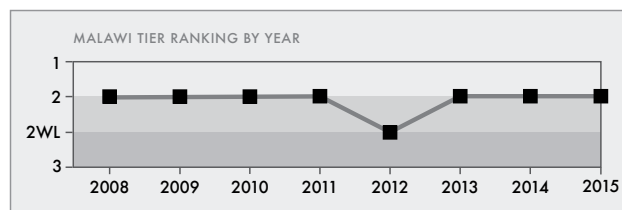
During the reporting year, the national *Gendarmerie* established a specialized unit focusing on child protection. A new tourist police branch was also formed to patrol beaches and other areas popular for child sex tourism in September 2014. The Ministry of Tourism posted warnings against child sex tourism in establishments across the country, and the Ministry of Population and Ministry of Communication carried out an awareness campaign entitled "Break the Silence" in Toliara, one of the high-risk cities for trafficking, between June 2013 and May 2014. The police continued to operate a national hotline to report child exploitation cases, but due to a lack of specificity in data collection, the number of resulting

trafficking cases remained undetermined. Officials continued to partner with local NGOs and international organizations to implement a code of conduct to combat the commercial exploitation of children in the Nosy Be and Toliara tourism industry, but it had yet to be disseminated across the country. The government provided training on combating trafficking in persons to law enforcement, judges, and civil society, as well as general guidance to diplomatic personnel on preventing trafficking based on local laws. The government did not make any tangible efforts to reduce the demand for forced labor during the reporting period.

MALAWI: Tier 2

Malawi is a source country for men, women, and children subjected to forced labor and sex trafficking and, to a lesser extent, a destination country for men, women, and children from neighboring countries subjected to labor and sex trafficking, and a transit country for people from some of these countries subjected to labor and sex trafficking in South Africa. Most Malawian trafficking victims are exploited within the country, with victims generally transported from the southern part of the country to the central and northern regions. Children are subjected to forced labor in the agricultural sector (predominantly in the tobacco industry, but also on tea, coffee, and sugar plantations), goat and cattle herding, and brickmaking. Frequently, traffickers entice families to part with their children with the promise of work as farm laborers, subsequently subjecting the children to forced labor or sexual exploitation. Children are also subjected to forced labor in begging, small businesses, and potentially in the fishing industry. Some are coerced to commit crimes. Reports indicate one-third of Malawian children are involved in labor activities; most cases of child labor outside the family involve fraudulent recruitment and physical or sexual abuse, conditions indicative of forced labor. Adult tenant farmers are vulnerable to exploitation, as they incur debts to landowners and may not receive payment in times of poor harvest. Brothel owners or other facilitators lure girls—including primary school children—from rural areas with promises of clothing and lodging, for which they are charged high fees, resulting in prostitution coerced through debts in Malawi or neighboring countries. Malawian victims of sex and labor trafficking have been identified in Mozambique, South Africa, Zambia, Tanzania, and Europe. Malawian girls are subjected to domestic servitude in eastern Zambia. Recent years have seen reports of young girls being drugged, gang-raped, and placed in the sex trade. Some girls recruited for domestic service are instead forced to marry and subsequently subjected to prostitution by their “husbands.” Migrants from the Great Lakes region and the Horn of Africa may become labor trafficking victims in Malawi or transit through Malawi and subsequently become labor trafficking victims in South Africa.

The Government of Malawi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In February 2015, the government passed anti-trafficking legislation, establishing a comprehensive legal framework to address trafficking in persons. It reported investigating 27 trafficking cases involving 47 offenders and convicted 25 traffickers. The government identified 242 trafficking victims, an increase from 119 the previous year. The government continued to lack effective procedures to systematically identify victims and provide them adequate protection. The government relied on international organizations and NGOs to fund and implement most anti-trafficking programs.



RECOMMENDATIONS FOR MALAWI:

Vigorously prosecute both sex and labor trafficking offenses under the anti-trafficking law; expand training and increase funding for judges, prosecutors, labor inspectors, and police to identify, investigate, and prosecute trafficking offenses; improve and expand the collection of national prosecution and protection data; increase awareness and monitoring of trafficking crimes, as well as efforts to identify traffickers and victims at border crossings and internal police checkpoints; develop formal guidelines to identify trafficking victims, especially among vulnerable populations, and to refer them to available services; increase the availability of shelters and protection services for victims, including through financial or material support to NGOs for expansion of direct service provision; sentence convicted traffickers to sufficiently stringent punishments, including the increased imposition of prison sentences; adopt a national strategy to combat trafficking that focuses on improving national-level coordination of anti-trafficking efforts across all districts; and continue to launch anti-trafficking public awareness campaigns.

PROSECUTION

The Government of Malawi demonstrated progress in anti-trafficking law enforcement efforts. In February 2015, the government passed anti-trafficking legislation establishing a comprehensive legal framework to address trafficking in persons. Malawi's anti-trafficking law prohibits all forms of trafficking and prescribes punishments of 14 years' to life imprisonment, with no option of fines. Additionally, the Employment Act and Articles 135 through 147 and 257 through 269 of the penal code criminalize forced labor and forced prostitution, although the law does not define child sex trafficking in accordance with international law, which provides that the exploitation of the prostitution of children is trafficking regardless of whether force, fraud, or coercion is used. The penalties prescribed under these various statutes range from small fines to 14 years' imprisonment; the maximum penalties are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The Child Care, Protection, and Justice Act of 2010 prohibits child trafficking and prescribes sufficiently stringent penalties of up to life imprisonment for convicted traffickers.

In 2014, the Malawi Police Service (MPS) reported anti-trafficking data covering only five of Malawi's 34 district-level police stations; police provided information for seven districts in 2013. Poor record management and a lack of government direction contributed to shortcomings in adequately tracking investigation, prosecution, and conviction statistics nationwide. Police reported investigating 27 trafficking cases involving 47 suspects and 25 traffickers convicted, compared with 15 the previous reporting period. Information on prosecutions was unknown. Police from one of the reporting districts provided supplemental investigation, prosecution, and conviction data—some of which was included in the national report. Phalombe police reported 13 trafficking cases involving 31 traffickers. One case was dismissed, one was dropped, and the

remaining 11 cases were prosecuted and resulted in convictions under the Child Care, Protection and Justice Act. A majority of the convicted traffickers received prison sentences of 15-36 months, a significant increase from the previous reporting period in that district, when convictions resulted in fines and suspended sentences. In September 2014, media reported a 12-year-old girl from Zomba district was forced to work as a bartender and exploited in child prostitution, which led to the rescue of a similarly exploited 13-year-old girl. In February 2015, the owner of the establishment was convicted of child trafficking under the Child Care, Protection and Justice Act, yet was only ordered to pay 160,000 kwacha (\$300) in fines. The government reported that the 2013 case of two men detained at the Karonga border crossing for transporting 25 girls and four boys, possibly for early marriage and forced labor, remained unresolved at the end of the reporting period.

The Ministry of Home Affairs, which includes the MPS and immigration officials, had primary responsibility for the prosecution of trafficking crimes and enforcement of trafficking laws. MPS prosecutors were responsible for prosecuting the vast majority of identified trafficking cases in Malawi. The MPS included anti-trafficking training in its curriculum for the Limbe Police Training School, Mtakata Police Training School, and Police College. During the reporting period, members of Malawi's National Assembly and representatives of the Ministries of Foreign Affairs, Gender, Home Affairs and State House received training funded by foreign governments on trafficking issues and provisions of the anti-trafficking bill. The Malawi Human Rights Commission, an independent government agency, conducted outreach on draft anti-trafficking legislation to members of parliament. The Immigration Department continued to train an unspecified number of immigration officers on international anti-trafficking legal frameworks, how to identify human traffickers, and how to assist trafficking victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government increased the number of victims identified, but sustained inadequate efforts to protect victims. It relied largely on NGOs to identify victims and provide long-term care. The national government lacked comprehensive data on the number of victims it identified, referred, or assisted during the reporting period; however, case information provided by the MPS indicated the government identified at least 242 trafficking victims, a notable increase in comparison to the 119 victims identified the previous reporting period. Additional information on the profile of the 242 victims was unavailable. The government ran one social rehabilitation center in Lilongwe for orphans, child trafficking victims, and vulnerable children, providing counseling and rehabilitation services. The government reported referring 100 victims to the center in 2014, which had capacity for only 50 residents at one time due to a lack of resources. Reports from individuals acquainted with the facility described the center as chronically underfunded and unsuitable for trafficking victims, especially children—so dire that children exploited in child prostitution returned to the brothels from which they had been removed. The government continued to lack systematic procedures for the proactive identification of victims and their referral to care.

A 2011 NGO baseline survey of six districts reported 73 percent of victims did not receive any services after their rescue. The lack

of adequate and longer-term assistance left victims vulnerable to re-trafficking. More than 300 police stations at the sub-district level housed victim support units (VSUs) to respond to gender-based violence and trafficking crimes; however, the VSUs lacked capacity to respond adequately, providing only limited counseling and, in some districts, temporary shelter to victims. Some foreign victims likely avoided these centers due to fear of deportation. The government did not provide material or financial support for most NGO services, including the only dedicated shelter for trafficking victims in the country, which was operated by an international NGO. The government did not have a policy of providing foreign victims with temporary residency or other legal alternatives to their removal to their countries of origin; in practice, foreign victims faced deportation unless they challenged their immigration status in court. The new anti-trafficking law includes provisions for the protection of victims and witnesses during trial. There were no specific reports of trafficking victims penalized for crimes as a direct result of being subjected to trafficking; however, in recent years, abuse of sex trafficking victims by police has been reported. Law enforcement has treated persons in prostitution—including children—as criminals, rather than assessing them for indicators of trafficking.

PREVENTION

The government sustained efforts to prevent trafficking, with multiple government agencies involved in anti-trafficking efforts. The Malawi Network Against Child Trafficking, comprising government officials, NGOs, and religious leaders, held six regional trafficking awareness meetings and met twice at the national level. The anti-trafficking board established by the new anti-trafficking bill is designed to provide national-level guidance on combating trafficking. Malawi continued to lack a national action plan to address trafficking in persons. The majority of public awareness campaigns were coordinated at the district level with NGO partners. The government conducted 215 child labor inspections from June-December 2014; however, it did not report on the total number of inspections conducted. As of January 2015, the Ministry of Labor employed 29 district labor officers and 120 labor inspectors. The government did not make efforts to reduce the demand for commercial sex acts or forced labor, and it made no efforts to address child sex tourism. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. In partnership with a foreign donor, the government provided Malawian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

MALAYSIA: Tier 2 Watch List

Malaysia is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. The majority of trafficking victims are among the estimated two million documented and more than two million undocumented foreign workers in Malaysia. Foreign workers—primarily from Indonesia, Bangladesh, the Philippines, Nepal, Burma, and other Southeast Asian countries, often voluntarily migrate to Malaysia in search of greater economic opportunities. Some migrants are subjected to forced labor or debt bondage by their employers, employment agents, or labor recruiters. Many foreign workers are employed by recruiting or outsourcing companies rather than by the factory or plantation where they work, making workers more vulnerable

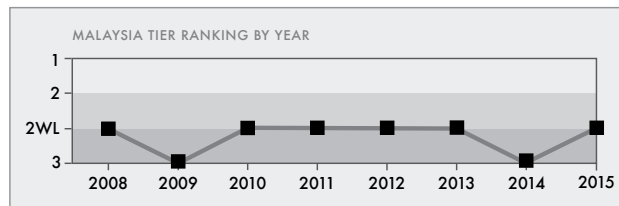
to exploitative labor conditions and limiting the ability of factories, manufacturers, and employers to address some labor concerns. In addition, recruitment and contracting fees are sometimes deducted from workers' wages, increasing workers' vulnerability to debt bondage. In accordance with governmental regulations, the burden of paying immigration and employment authorization fees is placed on foreign workers. Authorities report large organized crime syndicates are responsible for some instances of trafficking. Reports allege some corrupt officials impede efforts to address trafficking crimes.

Some foreign migrant workers on agricultural and palm oil plantations, at construction sites, in the electronics industry, and in homes as domestic workers are subjected to practices indicative of forced labor, such as restricted movement, wage fraud, contract violations, passport confiscation, and imposition of significant debts by recruitment agents or employers. Some employers withhold an average of six months' wages from foreign domestic workers to recoup recruitment agency fees and other debts. Some forced labor victims in Malaysian waters, including Cambodian and Burmese men on Thai fishing boats, reportedly escape in Malaysian territory. Due to concerns about domestic servitude, the Cambodian government prohibits its nationals from traveling to Malaysia for domestic work; however, some Cambodian women enter Malaysia to work despite this ban and some are subjected to domestic servitude. Some Indonesian domestic workers are subjected to domestic servitude in the Middle East after transiting Malaysia *en route* to these countries to circumvent anti-trafficking protections initiated by the Indonesian government. A significant number of young women, mainly from Southeast Asia, and to a much lesser extent Africa, are forced into prostitution although recruited ostensibly for legal work in Malaysian restaurants, hotels, and beauty salons. Some Vietnamese women and girls enter into brokered marriages in Malaysia and are forced into prostitution.

Refugees in Malaysia—including Rohingya men, women, and children—lack formal status or the ability to obtain legal work permits, leaving them vulnerable to trafficking. Many incur large smuggling debts, which traffickers use to subject some refugees to debt bondage. An estimated 80,000 Filipino Muslims without legal status, including 10,000 children, reside in Sabah, with some vulnerable to trafficking. Children from refugee communities in Peninsular Malaysia are reportedly subjected to forced begging. A small number of Malaysian citizens are subjected to trafficking internally and have been subjected to sex trafficking in Australia, France, South Africa, and the United Kingdom.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2014, the government consulted with civil society stakeholders to draft and propose amendments strengthening the existing anti-trafficking law and addressing concerns raised in previous Trafficking in Persons Reports, including by allowing trafficking victims to move freely and work, and for NGOs to run the facilities. The amendments remained pending passage by Parliament at the end of the reporting period. The government adopted a pilot project to allow a limited number of victims to work outside government facilities. Authorities continued to provide assistance to foreign victims housed in government facilities for one to six months while under protection orders; these victims had limited freedom of movement and could not work outside the facilities. Malaysia more than doubled the number of trafficking investigations and substantially increased prosecutions, but the government convicted

only three traffickers for forced labor and one for passport retention, a decrease from the nine traffickers it convicted in 2013. Malaysia also continued efforts in an expansive prevention campaign that raised awareness about trafficking.



RECOMMENDATIONS FOR MALAYSIA:

Sign into law and implement amendments to the anti-trafficking law to allow trafficking victims to travel, work, and reside outside government facilities, including while under protection orders; increase efforts to arrest, investigate, prosecute, convict, and punish traffickers, including complicit officials; provide all victims equal opportunity to receive protective services that are not contingent on their participation in prosecutions against traffickers; effectively enforce the law prohibiting employers from confiscating passports; improve victim identification efforts and implement procedures to identify labor trafficking victims among vulnerable groups, such as migrant workers; enable trafficking victims in government facilities to make phone calls more than once per month; allocate sufficient funding to NGOs that provide victims in government facilities access to legal services and effective counseling, including in their native languages whenever possible; offer legal alternatives to removal to countries in which victims would face retribution or hardship; increase and strengthen labor inspections to identify instances of forced labor; increase training for law enforcement and judicial officials on how to effectively address all trafficking cases, including the identification of labor trafficking victims, employing a victim-centered framework; expand implementation of the directive requiring prosecutors to prepare victims for judicial proceedings at least two weeks prior to trial; increase efforts to educate migrant workers of their rights, legal recourses, and remedies against traffickers; provide a dedicated budget to the National Anti-Trafficking and Anti-Smuggling of Migrants Council (MAPO); and increase transnational cooperation with other governments in the region on enforcing anti-trafficking laws.

PROSECUTION

The government increased investigations and prosecutions, but obtained only three trafficking convictions—a disproportionate number of convictions compared to the large scale of the human trafficking problem in Malaysia. Malaysia's 2007 Anti-Trafficking in Persons Act (amended in 2010) prohibits all forms of human trafficking and prescribes punishments of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape.

In 2014, the government reported 186 investigations of potential trafficking cases, compared with 89 in 2013. It initiated prosecutions against 54 alleged trafficking offenders (including 26 for forced labor; 12 for sexual exploitation, and an unknown charge for 16 cases), an increase from 34 in 2013. The government convicted three traffickers for forced labor and none for sex trafficking, marking a decrease from nine traffickers convicted in 2013. Sentences ranged from two to five years' imprisonment for each trafficking

charge. The government issued a written directive in August 2014 requiring public prosecutors to engage with victims at least two weeks prior to trial. Prosecutors reported they spent time with victims in government facilities, better understood victims' concerns about the trial process and timing, and worked to address these concerns. The Royal Malaysia Police operated a specialized anti-trafficking unit, and the immigration and labor departments had specialized trafficking enforcement agents. The Attorney General's Chamber had 29 deputy public prosecutors throughout Malaysia specializing in human trafficking cases. Prosecutors reported increased interaction with law enforcement during the investigation process and were more familiar with victims' accounts prior to courtroom appearances than during the previous reporting year.

NGOs reported officials often failed to investigate complaints of passport confiscation or withholding of wages, especially involving domestic workers, thereby failing to recognize trafficking indicators and instead responding to those who complained by taking action against them for immigration violations. The government continued to inadequately enforce the prohibition on employers withholding employee passports. In 2014, the government convicted one defendant for withholding 29 employees' passports and fined him RM 5,000 (\$1,400).

In 2014, each of the enforcement agencies continued to conduct anti-trafficking trainings, reaching nearly 700 officials. For example, Malaysian officials trained 103 coast guard officers on trafficking in Sabah, Kuantan, and Sarawak. Several ministries coordinated a series of anti-trafficking trainings on investigative interview techniques for 205 frontline officials. The Attorney General's Chamber hosted and convened a seminar for 30 judges and prosecutors throughout Malaysia to discuss victim-centered approaches to prosecution. Topics included effective victim interviewing, identifying and meeting victims' needs, and working with interpreters. Reports continued to purport some corrupt immigration officials allegedly facilitated migrant smuggling, which may have contributed to trafficking crimes; however, the government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking.

PROTECTION

The government increased efforts to improve Malaysia's victim protection system. The government consulted with civil society stakeholders to draft amendments to the existing anti-trafficking law. The cabinet approved the draft amendments and introduced them to Parliament, but Parliament had not passed the amendments at the end of the reporting period. Under the current anti-trafficking law, the government housed victims in government facilities under 14-day interim protection orders for suspected victims and 90-day protection orders for certified victims that were renewable until a victim was no longer needed in judicial proceedings against a suspected trafficker. The government housed most victims in these facilities for one to six months. It denied foreign victims the liberty to leave the premises without a chaperone; victims remained under police custody for hospital visits or court appearances. However, the government cooperated with the embassies of some of the largest sending countries to record legal statements from trafficking victims and allowed the victims to return to their home countries before the end of the legal proceedings when outstanding legal issues, such as repayment of back wages, were resolved. The government did not allow foreign victims to work outside the facilities while under protection orders, and repatriated them to their home countries after their protection orders expired,

in accordance with Malaysian law. This policy discouraged some victims from cooperating with authorities or bringing cases to governmental attention.

In 2014, the government identified 1,684 potential victims, of which it confirmed 303 as trafficking victims, an increase compared with 270 in 2013. The majority of the victims were Indonesian nationals, followed by Vietnamese and Filipino citizens. The number of victims subjected to sex or labor trafficking was unclear. NGOs and government officials report labor trafficking was far more common than sex trafficking in Malaysia. The government reported law enforcement agencies followed standardized procedures to identify trafficking victims. Officials continued to rely on workers to report nonpayment of wages to initiate labor trafficking investigations. Front-line officials and prosecutors did not receive adequate training to work with victims, and investigations were typically not victim-centered. Some NGOs reported they did not refer victims to the police, as they believed doing so was detrimental to the welfare of the victims, and some foreign embassies sheltered victims to expedite their repatriation and provide an alternative to being housed in government facilities during lengthy criminal proceedings. Some government officials continued to view foreign victims as migrant workers and not victims, hampering progress on victim protection efforts.

The government operated six facilities to house victims. The Ministry of Women, Family, and Community Development operated four facilities for women and one for child trafficking victims. The home affairs ministry operated Malaysia's only facility for male trafficking victims in Malacca. Progress on the 2014 pilot project to enable two NGOs to operate a government-owned facility for victims was set aside in favor of pursuing holistic change through legal amendments to Malaysia's Trafficking in Persons Act. The government provided basic services to those staying in its facilities; however, NGOs, without government-allocated funding, provided the majority of victim rehabilitation and counseling services. Victim services were inadequate; in some facilities, victims were only allowed to call their families once per month for 15 minutes. Authorities did not disclose full budgetary details on protection efforts but allocated RM 4,000,000 (\$1,100,000) to the Ministry of Home Affairs and RM 4,600,000 (\$1,300,000) to the women's ministry to operate facilities for female trafficking victims in 2015.

The anti-trafficking law provides victims immunity from immigration offenses, which are outside the scope of the penal code. NGOs and foreign embassies report that victims often preferred to be repatriated immediately rather than remain in Malaysia and wait for the judicial process to conclude. Some trafficking victims, particularly those who denied that they were subjected to trafficking or whose employers confiscated their documents, were not identified as trafficking victims and instead were detained, deported, or charged with immigration offenses.

PREVENTION

The government increased efforts to prevent trafficking. MAPO, headed by the home affairs ministry, included representation from multiple government entities. MAPO leadership was active in coordinating anti-trafficking efforts, but lacked adequate budget support. Malaysia convened four cabinet-level meetings to discuss human trafficking issues during the reporting period. NGOs continued to report deficiencies in the government's progress to implement Malaysia's 2010-2015 national plan of action to combat trafficking. The government reported producing 3,947

public service radio announcements and 1,179 public service television broadcasts during the reporting period, a decrease from 6,078 and 6,032 announcements in 2013. It also published 15,000 informational brochures on trafficking indicators for law enforcement personnel. The Ministry of Home Affairs facilitated outreach sessions in Penang, Shah Alam, and Johor to raise awareness on forced labor indicators, such as passport retention, among 100 companies in the electronics industry.

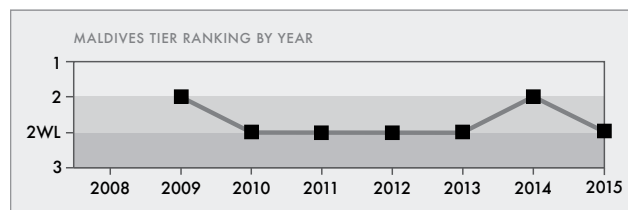
In February 2015, Malaysian and Indonesian officials announced the creation of an “official channel” for domestic worker recruitment, which aims to expedite recruitment and minimize the number of migrants who seek work illegally. The government did not finalize a memorandum of understanding to govern the employment of Cambodian domestic workers in Malaysia, and the Cambodian government’s 2011 ban on Cambodian women’s travel to Malaysia for domestic work remained in effect. Domestic workers continued to be excluded from a number of protections under Malaysian employment law, including the country’s minimum wage. The government’s anti-trafficking awareness campaign highlighted criminal penalties associated with commercial sexual exploitation and the information was disseminated via television and radio media, public fora, and at specific engagements with target groups such as manufacturers. The government provided anti-trafficking training to Malaysian troops prior to their deployment abroad on international peacekeeping missions and anti-trafficking training and guidance for its diplomatic personnel.

MALDIVES: Tier 2 Watch List

Maldives is a destination country for men, women, and children subjected to forced labor and sex trafficking, and a source country for women and children subjected to labor and sex trafficking. An unknown number of the approximately 200,000 documented and undocumented foreign workers in Maldives—primarily Bangladeshi and Indian men in the construction and service sectors—experience forced labor, including fraudulent recruitment, confiscation of identity and travel documents, withholding or nonpayment of wages, and debt bondage. Migrant workers pay approximately \$400 to \$4,000 in recruitment fees to work in Maldives, contributing to their risk of debt bondage upon arrival. In addition to Bangladeshi and Indians, some workers from Sri Lanka, Pakistan, and Nepal reportedly experience recruitment fraud before arriving in Maldives. Recruitment agents in source countries collude with employers and agents in Maldives to facilitate fraudulent recruitment and forced labor of migrant workers. NGOs allege officials may warn businesses in advance of planned raids for suspected trafficking offenses or other labor abuses and be involved in labor recruiting practices that can lead to trafficking. A small number of women from Asia, Eastern Europe, and former Soviet countries, as well as girls from Bangladesh and Maldives, are subjected to sex trafficking in Maldives. Some Maldivian children are transported to the capital, Male, from other islands for domestic service; some of these children are also reportedly subjected to sexual abuse and may be victims of forced labor. Maldivian women may be subjected to sex trafficking in Sri Lanka.

The Government of Maldives does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government coordination committee adopted a national action plan for 2015-2019 and continued to develop procedures for victim identification,

protection, and referral. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Maldives is placed on Tier 2 Watch List. The state-run shelter for female trafficking victims that opened in January 2014 shortly thereafter began barring victims from access. The government did not initiate any prosecutions and there were no convictions in 2014, a decrease from one conviction in 2013, and some officials warned businesses in advance of planned raids to investigate suspected trafficking offenses or other labor abuses.



RECOMMENDATIONS FOR THE MALDIVES:

Increase efforts to investigate and prosecute suspected trafficking offenses, respecting due process; finalize standard operating procedures to proactively identify trafficking victims and refer them to protection services, and train officials on their use; re-establish victim access to the state-run shelter and consistent rehabilitation services; finalize and implement the standard operating procedures for shelter operations and victim services; increase efforts to monitor and punish labor recruitment agents and firms engaging in fraudulent practices; enforce prohibitions against passport retention by employers and government agencies; raise public awareness of human trafficking through media campaigns; provide translators to law enforcement and labor authorities to ensure foreign workers are able to participate in inspections, investigations, and prosecutions against their alleged traffickers; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government’s anti-trafficking law enforcement efforts decreased. The Prevention of Human Trafficking Act prohibits many, but not all, forms of sex and labor trafficking under Articles 12, 13, 14, and 16. The law prohibits internal and transnational trafficking. However, in a departure from the 2000 UN TIP Protocol definition, it generally requires the acts of exploitation be predicated on movement and does not criminalize child sex trafficking in the absence of coercion. The law does prohibit debt bondage and some forms of child trafficking without requiring movement. Article 13 is overly broad; for example, it includes compelling a person to undergo a medical test after being transported as a form of trafficking in persons. The law prescribes penalties of up to 10 years’ imprisonment, which are sufficiently stringent but are not commensurate with those prescribed for other serious crimes, such as rape. The government reported investigating five trafficking cases in 2014, an increase from one case in 2013; however, for the second consecutive year, authorities did not initiate any new prosecutions. The government also did not convict any trafficking offenders in 2014, compared with one conviction in 2013.

Officials continued to conflate human trafficking with human smuggling and the presence of undocumented migrants in Maldives. Observers noted trafficking-specific training was needed government-wide, especially for investigators, prosecutors, and

judges. The Department of Immigration and Emigration (DIE) and police anti-trafficking unit chiefs held one training, in partnership with an international organization, for 25 labor inspectors, police officers, and other officials on trafficking. DIE also developed a module on trafficking for new recruits, but it had not yet been launched at the end of the reporting period. An international organization continued to coordinate and deliver all other trainings for officials. Law enforcement efforts continued to be hampered by the absence of foreign language interpreters for victim-witnesses. Authorities did not report collaborating on transnational investigations with foreign counterparts, despite law enforcement identification of foreign victims. NGOs reported some officials warn businesses in advance of planned raids for suspected trafficking offenses or other labor abuses. Despite these reports and others that officials may have been involved in labor recruiting practices that can lead to trafficking, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government regressed on some of its previous year's progress in victim protection. The state-run shelter for female trafficking victims, opened in January 2014, served two victims but then began barring new victims from access shortly thereafter; reportedly due, in part, to bureaucratic disputes. According to law enforcement officials, this severely diminished the likelihood victims would pursue charges against perpetrators and forced *ad hoc* solutions to protect victims. It is unclear what services, if any, identified victims received from the government during the reporting period. The 2013 anti-trafficking law created a 90-day reflection period during which victims are eligible to receive services while deciding whether to assist authorities in a criminal case. Victims are entitled to receive rehabilitative services, including shelter, health care, counseling, translation services, and police protection. DIE maintained a shelter for undocumented male migrant workers, but this shelter did not provide trafficking-specific services.

The government identified nine victims in 2014, compared with 10 in 2013. The government continued to develop procedures for victim identification, protection, and referral; however, the procedures were not finalized at the end of the reporting period. Foreign victims assisting an investigation or prosecution could receive a renewable visa; however, identified victims who voluntarily entered Maldives illegally were subject to deportation. Observers noted officials are not trained to screen for trafficking victimization among children in prostitution and migrant workers before deportation.

PREVENTION

The government did not demonstrate progress in preventing trafficking. The government once again transferred responsibility for coordinating government and NGO anti-trafficking efforts from one ministry to another; this time from the Ministry of Youth and Sports to the Ministry of Economic Development. While the coordination committee still met and adopted a national action plan for 2015-2019, observers reported the frequent change in ministry portfolio hampered the government's ability to coordinate and oversee its efforts to effectively combat trafficking. Additionally, the Ministry of Law and Gender, the original chair of the committee that oversaw the now defunct state-run shelter, was not included on the committee once its chairmanship had been removed, thereby reducing the number of committee members

trained on trafficking issues and increasing coordination challenges.

Officials did not prosecute any labor recruiters or agencies for fraudulent recruitment practices, despite the existence of an investigative unit responsible for recruitment agency oversight. Observers reported there had been no inspections of labor recruiters for two years due to a lack of funding, and there was no indication police continued to blacklist Maldivian recruitment agencies engaged in fraud and forgery. Government ministries and others frequently held the passports of foreign workers they employed, as well as those of foreign victims in trafficking cases. An international organization reported 65 percent of migrants interviewed were not in possession of their passports. Authorities reported working with employers to have the passports returned; however, the government did not prosecute or hold accountable any employers or government officials for withholding passports.

The Ministry of Foreign Affairs continued its anti-trafficking campaign, with media outlets providing airtime and print space for awareness messages. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not report any efforts to reduce the demand for commercial sex acts. Maldives is not a party to the 2000 UN TIP Protocol.

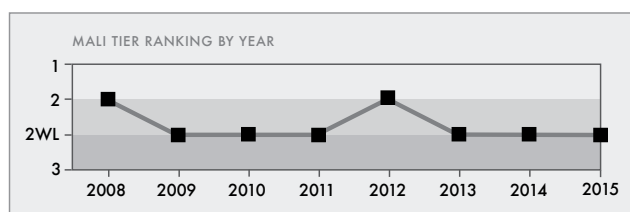
MALI: Tier 2 Watch List

Mali is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking; however, boys from Guinea and Burkina Faso are subjected to forced labor in artisanal gold mines and women and girls from other West African countries are subjected to prostitution in Mali. Women and girls are forced into domestic servitude, agricultural labor, and support roles in artisanal gold mines and subjected to sex trafficking. Boys are subjected to forced labor in agriculture, artisanal gold mines, and the informal commercial sector. Men and boys, primarily of Songhai ethnicity, are subjected to debt bondage in the salt mines of Taoudenni in northern Mali. Some members of Mali's black Tamachek community are subjected to slavery-related practices rooted in traditional relationships of hereditary servitude. Boys from Mali and other West African countries are forced into begging and other types of forced labor or service by corrupt *marabouts* (religious teachers) within Mali and neighboring countries. Reports indicate Malian children endure forced labor in gold mines in Senegal and Guinea and on cotton and cocoa farms in Cote d'Ivoire. Malians and other Africans transiting Mali to Mauritania, Algeria, or Libya to reach Europe are vulnerable to trafficking. Malian girls and women are victims of sex trafficking in Gabon, Libya, Lebanon, and Tunisia. Reports allege general corruption is pervasive throughout the security forces and judiciary.

In early 2012, rebel and Islamic extremist groups invaded and occupied northern Mali. Since that time, several militias and pro-government groups recruited and used children to fight in combat. There were reports these groups used children to carry assault rifles, staff checkpoints, guard prisoners, and conduct patrols. While the majority of child soldiers were boys, reports indicate these groups may have used some girls for sexual exploitation and forced marriage to members of armed groups. These armed groups purportedly force some families to sell their children. Although the prevalence of child soldiers decreased during the reporting

year; NGOs and international organizations estimate many children remain associated with armed groups; however, restricted access, particularly in northern Mali, where the government has a limited presence, continues to prevent comprehensive reporting.

The Government of Mali does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Mali is placed on Tier 2 Watch List for the third consecutive year. Mali was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, and it has committed to devoting sufficient resources to implement that plan. While the government, in partnership with NGOs, identified and referred 48 victims for protection during the reporting year, it failed to investigate, prosecute, or convict any trafficking offenders, did not provide any direct services to trafficking victims, or conduct any national awareness campaigns.



RECOMMENDATIONS FOR MALI:

Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; vigorously investigate, prosecute and, where appropriate, convict government officials complicit in human trafficking; adequately inform and train judicial personnel about the 2012 anti-trafficking law; train law enforcement to investigate trafficking cases, identify trafficking victims among vulnerable populations, and refer them to protective services; continue to implement programs for the disarmament, demobilization, and reintegration of former child combatants that take into account the specific needs of child ex-combatants; convene and allocate funds to the national anti-trafficking committee; allocate appropriate funding to effectively implement the newly adopted national action plan to combat trafficking; and increase efforts to raise public awareness about trafficking.

PROSECUTION

The government reduced anti-trafficking law enforcement efforts. Law 2012-023 Relating to the Combat against Trafficking in Persons and Similar Practices prohibits all forms of trafficking of adults and children. The law prescribes penalties of five to 10 years' imprisonment, and a maximum of 20 years' imprisonment for cases involving aggravating circumstances, which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. For the third consecutive year, the Ministry of Justice failed to distribute the 2012 anti-trafficking law to judicial and law enforcement personnel, which perpetuated the lack of awareness and understanding of the law among the judiciary. The government investigated one potential trafficking case, which represented a decrease from 13 cases investigated during the previous reporting period. It did not prosecute or convict any trafficking offenders during the reporting period. The government

provided no specialized anti-trafficking training to its officials. The government did not report any investigations, prosecutions, or convictions of any government officials complicit in trafficking offenses.

PROTECTION

The government demonstrated minimal efforts to protect trafficking victims. Government officials and NGO partners identified 48 trafficking victims, compared with 79 during the previous reporting period. The government provided minimal assistance to victims and continued to rely on privately-funded NGOs and international organizations to provide victims with medical assistance, shelter, counseling, and financial aid. Despite its substantial reliance on NGOs, the government did not provide financial support to these organizations. The government did not report identifying or assisting any victims of traditional slavery in areas where these practices are prevalent; this lack of identification reflects limited government presence in these areas. It offers legal alternatives to removal to countries in which victims would face retribution or hardship; however, all victims identified during the reporting period were ECOWAS country citizens and were able to stay within the country.

Rebel armed groups and terrorist organizations continued to recruit and use child soldiers during the reporting period. The government did not report the recruitment or use of child soldiers in the Malian armed forces; however, poor record keeping systems within the military, coupled with the ability to easily obtain fraudulent birth certificates, limited the ability to verify the precise age of all Malian soldiers. During the reporting period, with the assistance of international organizations and NGOs, the government, through the National Directorate for the Protection of Family, Women, and Children, rehabilitated five child soldiers aged 15 to 17 years. There were no reports alleging the government detained child soldiers during the reporting year. While the government passed an inter-ministerial protocol in 2013 to require liberated child soldiers to be transferred to rehabilitation centers rather than prison, the lack of awareness and clear guidelines for judicial and military personnel to implement the protocol impeded systematic processing of these cases. As a result, some suspected child soldiers remained in detention since 2013.

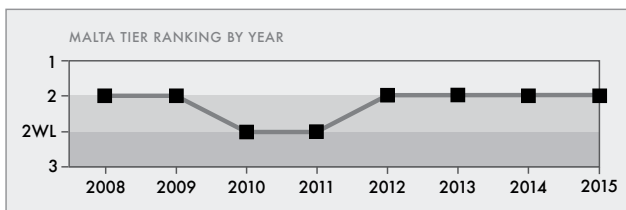
PREVENTION

The government made minimal efforts to prevent trafficking. It adopted a three-year national action plan (2015-2017) to combat trafficking and submitted a formal budget request to ensure its implementation. The government did not conduct any awareness-raising campaigns, workshops, or training efforts. The national committee, the entity charged with coordinating government anti-trafficking efforts, was minimally active during the reporting period. Labor inspectors did not receive anti-trafficking training and they did not have the capacity to regulate the informal sector, where most cases of forced labor occurred. The government failed to make tangible efforts to decrease the demand for forced labor or commercial sex acts in Mali. It did not provide anti-trafficking training or guidance for its diplomatic personnel and peacekeepers deployed abroad.

MALTA: Tier 2

Malta is a source and destination country for women and children subjected to sex trafficking and a destination for women and men subjected to labor trafficking. Female sex trafficking victims primarily originate from China, Hungary, Poland, Romania, Russia, and Ukraine. Women and children from Malta have also been subjected to sex trafficking within the country. Forced labor victims largely originate from China, Indonesia, the Philippines, and Vietnam. Women from Southeast Asia working as domestic workers, Chinese nationals working in massage parlors, and women from Central and Eastern Europe working in nightclubs represent populations vulnerable to exploitation. Maltese children in prostitution, including those with drug dependencies, are vulnerable to sex trafficking in Malta. The approximately 5,000 irregular migrants from African countries residing in Malta may be vulnerable to trafficking in the country's informal labor market.

The Government of Malta does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, authorities successfully identified more victims and launched the country's first labor trafficking investigations. The anti-trafficking committee approved a new national action plan, semiannual monitoring reports, a booklet on using the victim referral procedures, and information cards listing trafficking indicators and a helpline. Law enforcement efforts, however, were stymied by a lack of accountability for criminals perpetuating this crime; Malta has not secured a trafficking conviction since early 2012. Despite the increase in victims requiring care services and the need to train judges and law enforcement on working with victims, the government halved the budget for trafficking programs.



RECOMMENDATIONS FOR MALTA:

Hold traffickers accountable through convictions and dissuasive sentences; train police, investigators, and judges on working with traumatized victims; provide adequate funding for victim assistance, trainings, and prevention campaigns; continue to strengthen efforts to identify trafficking victims proactively among vulnerable populations, particularly migrant workers and individuals in prostitution; train stakeholders on the use of the standard operating procedures for victim referral; screen minors found in prostitution for indicators of third-party involvement and treat those minors as victims; and consider directing all trafficking cases to judges who have received trafficking-specific training.

PROSECUTION

The government demonstrated mixed progress in law enforcement efforts. Malta prohibits both sex and labor trafficking through Article 248A-G of the criminal code, which prescribes penalties of four to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated five new trafficking

cases during the reporting period, compared with four in the previous period. Three of these cases involved labor trafficking, marking the first labor trafficking investigations in Malta's history. Authorities initiated prosecutions of seven suspected traffickers, the same number as in the previous period. The government has not achieved a trafficking conviction since early 2012. The prosecution of a police officer for alleged involvement with the trafficker convicted in 2012 remained pending due to an appeal of that conviction. The slow pace of court proceedings hampered prosecutions relying on foreign victims to give testimony in court. The government provided trafficking-specific training for police officers, but did not offer training for prosecutors or the judiciary. Frequent turnover of vice unit investigators, who also serve as prosecutors, presented a challenge to authorities working to ensure all stakeholders receive specialized training. Observers reported the need for additional training for police officers and judges on working with victims.

PROTECTION

The government made progress in protecting victims. Police identified 18 trafficking victims, an increase from seven in the previous period. Ten of the victims originated from a large labor trafficking case, which was under prosecution by Maltese authorities at the close of the reporting period. Authorities' success in identifying more victims was due in part to increased inspections of businesses susceptible to human trafficking, as well as greater awareness-raising of available services. None of the victims identified was a Maltese national or a minor; the government has never identified a child victim of trafficking. Despite the higher number of victims identified, the government halved its 2015 budget for trafficking programs from the previous year to 20,000 euro (\$21,800).

The government published a booklet for stakeholders about victim referral procedures. The procedures allowed a range of entities to refer victims to the government's social welfare agency for crisis intervention care, including emergency shelter. Maltese law offered victims a two-month reflection period to recover and contemplate cooperation with law enforcement. Foreign victims who decided to assist police in prosecuting trafficking cases were entitled to a temporary residence permit, police protection, legal assistance, and the right to work. The government issued such permits to four victims during the reporting period, and the remainder of victims assisting law enforcement already had valid residence permits. Three victims filed a case against their employer for unpaid wages, which was pending as of April 2015; in the previous reporting period, no victims applied for restitution from their traffickers or from the state fund for victims of crime. Observers reported Maltese judges should be more accommodating to requests for closed hearings and video testimony to prevent re-traumatization of victims serving as witnesses. Additionally, observers found the government did not consistently provide translation services and lawyers assigned to victims lacked experience working with traumatized victims. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to trafficking. However, Maltese courts have convicted some minors in prostitution in recent years, and these may have been unidentified victims of sex trafficking.

PREVENTION

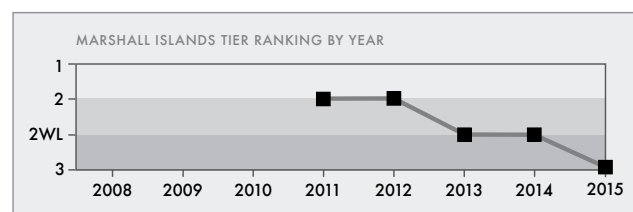
The government sustained anti-trafficking prevention efforts. The inter-ministerial anti-trafficking committee drafted and approved

a 2015-2016 national action plan with input from NGOs. The committee also approved two semiannual reports monitoring the government's anti-trafficking efforts. The government developed and distributed cards listing trafficking indicators and the national helpline number to stakeholders, tourism areas, and places frequented by migrant workers. Authorities carried out 22 inspections of clubs, massage parlors, and other businesses susceptible to sex and labor trafficking. The social welfare agency continued to run a hotline for individuals in need of social services, including trafficking victims. The government did not take measures to reduce the demand for commercial sex acts. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

MARSHALL ISLANDS: Tier 3*

The Republic of the Marshall Islands (RMI) is a source and destination country for RMI women and girls and women from East Asia subjected to sex trafficking. RMI girls are recruited by foreign business owners to engage in prostitution with crew members of foreign fishing and transshipping vessels that dock in Majuro. Foreign women, most of whom are long-term residents, are subjected to forced prostitution in establishments frequented by crew members of Chinese and other foreign fishing vessels; some Chinese women are recruited with promises of legitimate work and, after paying large recruitment fees, are forced into prostitution.

The Government of the Republic of the Marshall Islands does not fully comply with the minimum standards for the elimination of trafficking and was placed on Tier 2 Watch List from 2013-2014. The Trafficking Victims Protection Act provides that a country may remain on Tier 2 Watch List for only two consecutive years, unless that restriction is waived because the government has a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. The government does not have a written plan; therefore, Marshall Islands is deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. The government failed to effectively implement its anti-trafficking law; government officials have not reported any trafficking prosecutions for four consecutive years. The government made no efforts to proactively identify victims, especially among vulnerable populations, such as foreign and local women in prostitution and foreign men working on fishing vessels in Marshallese waters.



RECOMMENDATIONS FOR THE MARSHALL ISLANDS:

Amend the criminal code to prohibit all forms of trafficking; adopt proactive procedures to identify trafficking victims among vulnerable groups, such as foreign workers and women in prostitution; increase efforts to investigate and prosecute

trafficking offenses, and convict and punish traffickers; train law enforcement and judicial officials to implement the anti-trafficking law; designate a lead ministry to coordinate anti-trafficking efforts among government agencies and establish a government anti-trafficking taskforce that can spearhead anti-trafficking efforts; draft and approve a national plan of action that outlines RMI's plan to combat trafficking; prosecute public officials when they are complicit in trafficking activities or hindering ongoing trafficking prosecutions; fund and administer, in cooperation with NGOs and international organizations, protective services for victims; develop and conduct anti-trafficking education and awareness raising campaigns; undertake research to study human trafficking in the country; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made no anti-trafficking law enforcement efforts. Article 251 of the criminal code prohibits only transnational forms of human trafficking and prescribes penalties of up to 35 months' imprisonment for the trafficking of adults and up to 10 years' imprisonment for the trafficking of children. The penalties for the trafficking of children are sufficiently stringent, but the penalties for trafficking adults are not, and only the penalties for the trafficking of children are commensurate with those prescribed for other serious crimes, such as rape. In addition to trafficking, Article 251 also criminalizes other activities, including labor violations and the promotion of prostitution.

The government did not initiate any new trafficking investigations, compared with one initiated in 2013. The investigation initiated in 2013 involving foreign women in forced prostitution did not result in prosecutions for trafficking offenses or convictions. The government did not provide training to law enforcement or judicial officials on the anti-trafficking law, the identification of victims, or the prosecution of traffickers. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government made no efforts to identify trafficking victims or ensure their access to protective services. The government did not identify any victims of trafficking for four consecutive years. Law enforcement and social services personnel did not employ systematic procedures to proactively identify trafficking victims among high-risk populations, such as women in prostitution and foreign migrant workers onboard fishing vessels. The government reportedly made available free medical, legal, and police protection services for victims of trafficking, but no formal mechanism existed to verify this assistance was provided to any victims. The government did not provide or allocate funding specifically for the provision of services to victims. The government did not provide legal alternatives to the removal of victims to countries where they may face hardship or retribution and did not provide victims long-term residence visas or legal employment opportunities.

PREVENTION

The government made limited efforts to prevent trafficking. A police officer and attorney general participated in awareness-raising school assemblies, conducted by an international organization, by speaking to students about the crimes of human trafficking and the penalties associated with it. The government's informal taskforce drafted a charter, a required document before the taskforce can

draft a national plan of action; the government, however, did not yet approve the charter. The approval of the establishment of a national taskforce on human trafficking also remained pending for the third consecutive year. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not take steps to reduce the demand for commercial sex acts or forced labor. The RMI is not a party to the 2000 UN TIP Protocol.

MAURITANIA: Tier 3

Mauritania is a source and destination country for women, men, and children subjected to forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian communities are subjected to slavery-related practices rooted in ancestral master-slave relationships. Although reliable data on the total number of slaves does not exist, local and international experts agree that slavery continues to affect a significant portion of the country's population in both rural and urban settings. Held for generations by slave-holding families, persons subjected to slavery are forced to work without pay as cattle herders and domestic servants. Separately, some boys from within Mauritania and other West African countries who study at Koranic schools—referred to as *talibes*—are subsequently subjected to forced begging by corrupt imams. *Talibe* victims live in harsh conditions and do not attend school; many are forced to beg for food and to earn a daily financial quota to pay the imam. Boys from low-income families in the Halpulaar community were most vulnerable to forced begging. Children who lacked birth certificates were generally not permitted to enroll in school and were therefore at increased risk to trafficking. Mauritanian girls, as well as girls from Mali, Senegal, The Gambia, and other West African countries, are forced into domestic servitude in Mauritania. Mauritanian women and girls are subjected to sex trafficking in the country or the Middle East. Some enter into forced marriages, facilitated by brokers and travel agencies in Mauritania, and are subsequently exploited as sex slaves overseas. Men from Middle Eastern and North African countries use legally contracted “temporary marriages” as a means to sexually exploit young girls and women in Mauritania. Civil society representatives continued to criticize law enforcement and judicial officials for a failure to appropriately investigate and prosecute slavery cases brought to their attention. In particular, concerns remained regarding official intervention to suppress action against the alleged perpetrators in the one case investigated during the reporting period.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government took steps to raise public awareness about human trafficking, including through two televised debates and three symposia on the vestiges of slavery. However, it failed to prosecute or convict any traffickers and did not provide any anti-trafficking training to law enforcement officials. The government did not provide adequate protective services to victims and failed to establish procedures for the proactive identification of victims among persons arrested for prostitution and individuals detained and deported for immigration violations. Additionally, during the reporting period, the government arrested, prosecuted, and convicted several anti-slavery activists, some of whom were sentenced to two years’ imprisonment.



RECOMMENDATIONS FOR MAURITANIA:

Increase efforts to investigate and prosecute trafficking offenses—addressing all types of trafficking of adults—and to convict and punish offenders using the 2003 Law Against Trafficking in Persons and the 2007 anti-slavery law; take steps to hold government officials accountable for trafficking-related complicity, including efforts to interfere with criminal investigations; train law enforcement personnel, with an increased focus on measures to identify and refer to protective services trafficking victims from among vulnerable populations, and institute policies to standardize these procedures; provide support for, and access to, legal assistance for adult and child trafficking victims, including through directly submitting criminal claims on victims’ behalf through *Tadamoun*; amend Law 2007-048 to allow civil society organizations to file complaints on behalf of slaves; provide funding to civil society organizations providing direct services to victims, including former slaves; increase efforts to coordinate with NGOs to arrange protective services for trafficking victims; with input from civil society representatives, develop and implement a plan to provide economic resources—through monetary or property allotment—to empower members of traditional slave castes to live independently, and ensure these resources reach the targeted communities; and increase efforts to raise public awareness about trafficking, including traditional servitude.

PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. All forms of trafficking, except hereditary slavery, are prohibited by the 2003 Law Against Trafficking in Persons, which prescribes penalties of five to 10 years’ imprisonment for violations. These penalties are sufficiently stringent and exceed those prescribed for serious crimes, such as rape. Slavery, including hereditary slavery, is prohibited by Law 2007-048, enacted in September 2007; a 2013 law against slavery and torture broadens the 2007 law’s 10-year statute of limitations. The 2007 law defines slavery and prescribes a sufficiently stringent penalty of five to 10 years’ imprisonment for violations. Its effectiveness is impaired by a requirement that slaves file a legal complaint before prosecution can be pursued, as well as by barring NGOs from filing complaints on behalf of slaves—many of whom are illiterate. Although the National Agency to Fight against the Vestiges of Slavery, Integration, and the Fight against Poverty, known as *Tadamoun*, has the authority to submit complaints on behalf of victims, it did not do so during the reporting period.

The government investigated one slavery case identified by an NGO, but did not prosecute or convict any traffickers during the reporting period. In the single investigation conducted, the government initially arrested an alleged slave master; but ultimately did not file charges under the 2007 anti-slavery law and released the slave master; it is unclear whether the government will bring the case to trial. NGOs reported referring approximately 4,000 cases of child labor to the police; however, none resulted in any investigations, prosecutions, or convictions for forced child labor.

The government did not provide any specific anti-trafficking training during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The government arrested, prosecuted, and convicted several anti-slavery activists during the reporting period, drawing international attention to the government's attempts to suppress civil society representatives advocating against slavery and systematic discrimination in Mauritania. In November 2014, law enforcement arrested nine prominent anti-slavery activists and charged them for leading unregistered organizations, organizing an unauthorized rally, and resisting arrest; ultimately, the government convicted six of the activists. The government sentenced three activists to one year of prison and a fine of 40,000 ouguiya (\$130); their prison term was ultimately suspended and they were released. However, the government sentenced the other three activists to two years' imprisonment; at the close of the reporting period, the activists were serving their sentences while their cases were under appeal.

PROTECTION

The government maintained limited efforts to protect victims of human trafficking, including those exploited in traditional slavery. The Ministry of Social Affairs, Childhood, and the Family continued to operate five public centers for the protection and social integration of children and in November 2014, opened a sixth center in Nouakchott; 321 children in need received services from the centers, but it is unknown how many of these children may have been trafficking victims. The government allocated 35 million ouguiya (\$115,000) to these facilities. These facilities provided only short-term protections and generally returned children to their families or the imams who facilitated their exploitation. NGOs continued to provide the majority of protection services to trafficking victims without financial or in-kind support from the government. One NGO identified and cared for 257 girls rescued from domestic servitude.

Lack of available long-term rehabilitative care in Mauritania made many victims vulnerable to re-trafficking. The absence of measures to identify trafficking victims among vulnerable populations may have led to victims being punished for acts committed as a result of being subjected to trafficking. For example, in 2014, 6,400 undocumented migrants were detained and deported without screening. In addition, officials often jailed women suspected of prostitution, some of whom may have been trafficking victims. Mauritania does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

PREVENTION

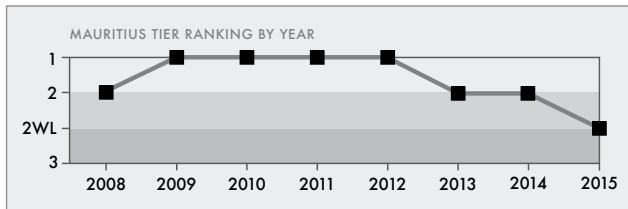
The government sustained modest efforts to prevent human trafficking. In March 2014, the government adopted a national strategy made up of recommendations from the UN Special Rapporteur on Contemporary Forms of Slavery; however, implementation was limited. In October 2014, the government hosted two televised debates on slavery with government officials and anti-slavery activists; however, the panelists were predominantly government officials, and civil society members were underrepresented. The Ministry of Islamic Affairs, in collaboration with the National Union of Imams, hosted three symposia to raise awareness about what the government calls "the vestiges of slavery." The government made no effort to reduce the demand

for forced labor or commercial sex acts. The government did not provide anti-trafficking training or guidance for its diplomatic personnel or peacekeeping troops deployed abroad; however, a foreign donor provided Mauritanian peacekeeping troops with anti-trafficking training.

MAURITIUS: Tier 2 Watch List

Mauritius is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Secondary school-aged girls and, in fewer numbers, younger girls from all areas of the country, including from Rodrigues Island, are induced or sold into prostitution, often by their peers, family members, or by businessmen offering other forms of employment. Taxi drivers provide transportation and allegedly introduce girls and clients. Girls and boys whose mothers engage in prostitution reportedly are vulnerable to exploitation in prostitution at a young age. Some women addicted to drugs are forced into prostitution. Women from Rodrigues Island are subjected to forced labor in domestic service in Mauritius. In recent years, small numbers of Mauritian adults have been identified as labor trafficking victims in the UK, Belgium, and Canada. Malagasy women transit Mauritius en route to employment as domestic workers in the Middle East, where they often are subsequently subjected to forced labor and sex trafficking. In previous reporting periods, Cambodian fishermen were subjected to forced labor on foreign fishing boats in Mauritius' territorial waters. Mauritius' manufacturing and construction sectors employ approximately 37,000 foreign migrant workers from India, China, Bangladesh, Sri Lanka, and Madagascar, some of whom are subjected to forced labor.

The Government of Mauritius does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government made modest efforts to identify and provide protective services to child victims of sex trafficking and continued to conduct extensive public awareness campaigns to prevent child sex trafficking and reduce the demand for commercial sex acts involving children. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Mauritius is placed on Tier 2 Watch List. The government did not prosecute or convict any trafficking offenders during the reporting period. Additionally, there remained a general lack of understanding among law enforcement of trafficking crimes outside the realm of child sex trafficking, despite increasing evidence that other forms of trafficking exist in Mauritius, including the forced labor of adults. The government failed to identify or provide any protective services to adult labor trafficking victims and did not make any tangible efforts to prevent the trafficking of adults during the reporting period. For example, despite the presence of approximately 37,000 migrant workers in Mauritius, the government maintained a severely inadequate number of inspectors in its Special Migrant Worker Unit tasked with monitoring employment sites, and failed to proactively identify trafficking victims among workers protesting employment abuses. Instead, the government deported 20 such workers during the reporting period.



RECOMMENDATIONS FOR MAURITIUS:

Use anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including in cases involving labor trafficking or forced prostitution of adults; provide law enforcement officials, magistrates, prosecutors, social workers, and labor inspectors with specific anti-trafficking training so officials can effectively identify victims, investigate cases, and refer victims to appropriate care; increase coordination between law enforcement entities, NGOs, and international organizations on cases involving foreign trafficking victims; establish procedures to guide officials in proactive victim identification among at-risk populations, including women in prostitution and migrant workers; create an inter-ministerial committee to increase coordination among relevant government entities; develop a national action plan to combat trafficking and allocate sufficient funding to implement the plan; increase the number of labor inspectors responsible for monitoring the employment of migrant workers; and conduct a national awareness campaign on all forms of trafficking.

PROSECUTION

The government sustained modest anti-trafficking law enforcement efforts relating to child sex trafficking, but failed to make any tangible law enforcement efforts to address adult forced labor during the reporting period. The Combating of Trafficking in Persons Act of 2009 prohibits all forms of trafficking of adults and children and prescribes penalties of up to 15 years' imprisonment for convicted offenders. In addition, the Child Protection Act of 2005 prohibits all forms of child trafficking and prescribes punishment of up to 15 years' imprisonment; the Judicial Provisions Act of 2008 increased the maximum prescribed punishment for child trafficking offenses to 30 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government reported nine trafficking investigations, but no prosecutions or convictions. This is a decrease from the previous reporting period, when the government initiated five prosecutions but failed to convict trafficking offenders. Eight of the investigations involved child sex trafficking offenses and one involved the forced prostitution of an adult; all the investigations remained pending at the close of the reporting period.

The government has never reported any prosecutions involving adult victims of sex trafficking. It has never taken any law enforcement action against labor trafficking offenses, including forced labor on foreign fishing boats illegally operating in Mauritius' territorial waters and forced labor of migrant workers in the construction and manufacturing industries. The Minor's Brigade of the Mauritian Police Force referred 14 cases of child labor to the Ministry of Labor, Industrial Relations, and Employment (MOL), but no additional law enforcement action was taken; some of these cases might have involved child labor trafficking. Although the police included training on trafficking to approximately 330 new police recruits as part of their basic training requirements, with the exception of cases involving child sexual exploitation,

there remained a lack of understanding of trafficking among law enforcement and Mauritian officials generally. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking during the reporting period.

PROTECTION

The government sustained efforts to protect child sex trafficking victims, but failed to identify or provide adequate protective services to other trafficking victims, including adults. The government identified two child sex trafficking victims during the reporting period, a decrease from seven victims identified in 2013. The Minors Brigade systematically referred all cases of identified children in prostitution to the Child Development Unit (CDU) of the Ministry of Gender Equality, Child Development, and Family Welfare for assistance. CDU officials referred one victim to a multipurpose NGO shelter for care. The government paid the NGO approximately 7,565 rupees (\$239) per month to care for the child. The other victim was returned to her family. The government provided the two victims with medical and psychological assistance in public clinics and child welfare officers accompanied them to these clinics; police worked in conjunction with these officers to obtain statements from the children. The government, partially in collaboration with a local NGO, provided two trainings on child sexual exploitation offenses to 83 government officials; these trainings focus on victim protection measures. The MOL does not proactively identify child labor trafficking victims and does not have a formal referral mechanism to ensure such victims receive care.

The government failed to identify or provide any services to adult victims of labor trafficking. The government identified one adult sex trafficking victim; however, it is unclear whether the government provided any services to this victim. Due to the lack of understanding of human trafficking among law enforcement, some adult victims of forced prostitution and forced labor may have been penalized for unlawful acts committed as a direct result of being trafficking. For example, law enforcement officers and prosecutors generally did not investigate whether adult women were involuntarily engaging in prostitution. During the reporting period, immigration officials regularly turned back single Malagasy women, traveling on their own, with less than 4,200 rupees (\$132) who attempted to enter the country on tourist visas on the grounds that they might be coming to Mauritius to engage in prostitution; some of these women might have been trafficking victims. Additionally, under Mauritian law, migrant workers who strike are considered to be in breach of their employment contracts and can be deported at the will of their employers. Some migrant workers who gathered to protest abuses relating to their employment were deported during the reporting period; these deportations took place without conducting comprehensive investigations or screenings to identify if the individuals were victims of forced labor. The 2009 anti-trafficking law specifically provides legal alternatives, such as temporary residency, to removal to countries in which the trafficking victims would face retribution or hardship.

PREVENTION

The government sustained strong efforts to prevent the sex trafficking of children and reduce the demand for commercial sex acts, but demonstrated weak efforts to prevent other forms of trafficking. The Police Family Protection Unit and the Minors

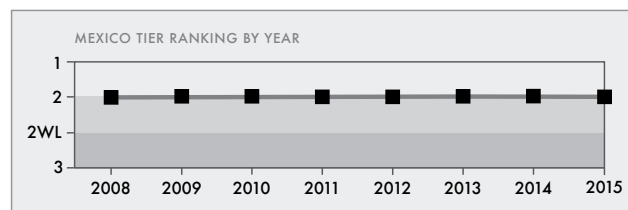
Brigade continued extensive public awareness campaigns on child abuse and child rights at schools and community centers that included information on the dangers and consequences of engaging in or facilitating child prostitution. The Ministry of Tourism and Leisure also distributed pamphlets warning tourism industry operators of the consequences of engaging in or facilitating child prostitution. However, the government does not have an inter-ministerial coordinating body or a national action plan dedicated to combating all forms of trafficking. The government did not conduct any awareness campaigns relating to other forms of trafficking and did not make any discernible efforts to reduce the demand for forced labor during the reporting period. The MOL did not investigate child labor cases during the reporting period, despite receiving information on such cases from the police. The MOL is required to approve all employment contracts before migrant laborers enter the country. However, reports indicate many migrant laborers enter the country with incomplete contracts or contracts that have not been translated into languages that the workers understand. Additionally, the MOL's Special Migrant Workers Unit, which is responsible for directly monitoring and protecting all migrant workers and conducting routine inspections of their employment sites, was staffed by only four inspectors; this number of inspectors is severely inadequate, as there are approximately 37,000 migrant workers currently employed in Mauritius. The government provided anti-trafficking training or guidance for its diplomatic personnel.

MEXICO: Tier 2

Mexico is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women, children, indigenous persons, persons with mental and physical disabilities, migrants, and LGBT Mexicans. Mexican women and children, and to a lesser extent men and transgender Mexicans, are exploited in sex trafficking within Mexico and the United States. Mexican men, women, and children are exploited in forced labor in agriculture, domestic service, food processing, construction, the informal economy, begging, and vending in both the United States and Mexico. Press reports state some Mexican citizens have wages systematically withheld, are held in debt bondage in agriculture, and are indebted to recruiters or to company stores. Residents at some substance addiction rehabilitation centers and women's shelters have been subjected to forced labor and sex trafficking. The vast majority of foreign victims of forced labor and sex trafficking in Mexico are from Central and South America. Victims from other regions have also been identified in Mexico, some *en route* to the United States. Child sex tourism persists, especially in tourist areas and in northern border cities. Many child sex tourists are from the United States, Canada, and Western Europe. Organized criminal groups profit from sex trafficking and force Mexican and foreign men, women, and children to engage in illicit activities, including as hit men; lookouts; and in the production, transportation, and sale of drugs. Trafficking-related corruption among public officials, especially local law enforcement, judicial, and immigration officials, is a significant concern. Some officials extort bribes and sexual services from adults and children in prostitution; extort irregular migrants, including trafficking victims; falsify victims' documents; threaten victims with prosecution if they will not file official complaints against their traffickers; accept bribes from traffickers;

facilitate movement of victims across borders; operate or patronize brothels where victims are exploited; or fail to respond to trafficking crimes, including in commercial sex locations.

The Government of Mexico does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities engaged in a variety of prevention activities and released for the first time a national anti-trafficking action plan and a national report on human trafficking. Eleven states and the Federal District also created or reconfigured anti-trafficking commissions to strengthen interagency efforts. The government reported increased trafficking convictions, though data on victim identification and law enforcement efforts were often unreliable, and it was unclear how many of these convictions were for trafficking as defined by international law. Official complicity continued to be a serious and largely unaddressed problem. Law enforcement efforts were insufficient to deal with the scale of the trafficking problem, particularly for forced labor, and authorities did not report how many labor traffickers, if any, were convicted. Government funding for specialized victim services and shelters remained inadequate and these services were virtually nonexistent in much of the country, leaving the significant number of reported victims vulnerable to re-trafficking.



RECOMMENDATIONS FOR MEXICO:

Increase funding for the provision of specialized victim services and shelters in partnership with civil society, and refer victims of all forms of trafficking to services and provide them adequate protection; strengthen efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers, especially for forced labor crimes; increase efforts to hold public officials complicit in trafficking accountable through prosecutions and convictions; enhance formal procedures to identify victims among vulnerable populations, such as people in prostitution and undocumented migrants, and to refer them to appropriate care; modify anti-trafficking laws at the federal and state levels to reflect the international anti-trafficking law; increase the ability of regional and state coalitions and specialized units to more effectively respond to trafficking cases through increased funding and trained staff; verify through increased training and monitoring that victims are not coerced into testifying against traffickers or treated as traffickers; strengthen data collection efforts; provide effective protection for witnesses and victims testifying against traffickers; increase training on victim identification and treatment for government employees; and improve coordination mechanisms between federal, state, and local authorities.

PROSECUTION

The government continued uneven law enforcement efforts. Authorities reported an increase in the number of trafficking sentences at the federal and state levels, but it was unclear how many of these sentences involved trafficking as defined by the 2000 UN TIP Protocol, and law enforcement efforts were undermined

by significant official complicity in trafficking crimes. The general anti-trafficking law of 2012 prohibits all forms of human trafficking, prescribing penalties ranging from five to 30 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, the law is overly broad as it establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime and defines facilitating or profiting from the prostitution of others, illegal adoption, and possession and distribution of child pornography as forms of human trafficking. Federal officials have jurisdiction over all international trafficking cases and all cases that take place on federally administered territory, involve organized crime, or involve allegations against government officials. States investigate other internal trafficking cases. While most states have specific trafficking laws, only some state laws criminalize all forms of trafficking, and inconsistencies among state laws complicated interstate investigations and prosecutions. Cases involving individuals who may have been forced by criminal groups to engage in illicit activities were not handled as potential trafficking cases, despite indicators of force or coercion.

Partial data based on the broad definition of trafficking in the 2012 law indicated federal authorities initiated 253 investigations and state entities initiated at least 196 investigations for trafficking in 2014, compared with 139 federal investigations and 458 state investigations reported in 2013. Authorities did not report the number of trafficking prosecutions initiated in 2014, compared with 30 federal prosecutions and approximately 177 state prosecutions reported in 2013 government data. Mexican authorities reported sentencing three traffickers at the federal level and at least 108 at the state level in 2014; this represented an increase in reported sentences from 2013 when authorities did not issue any federal trafficking convictions and only 73 at the state level, including 38 in the federal district. It was unclear how many of these convictions were for trafficking crimes as defined by the 2000 UNTIP Protocol, and officials did not report the range of sentences. Of the 2014 convictions, 78 were for sex trafficking in the federal district.

In many parts of the country, law enforcement focused on investigating bars and nightclubs for administrative irregularities, as opposed to intelligence-based operations targeting traffickers. NGOs reported the overly-broad law led some officials to focus on targeting people in prostitution instead of focusing on individuals experiencing force, fraud, or coercion. Some public officials conflated trafficking with migrant smuggling and prostitution. Investigations and prosecutions were sometimes delayed while authorities determined which prosecutors had jurisdiction or coordinated with officials in other parts of the country, to the detriment of both the criminal case and the victims. The 2012 law obligated states to have a dedicated human trafficking prosecutor, but many states lacked funding to employ one. Some officials' lack of understanding of trafficking led to cases being tried as more minor offenses as well as traffickers' acquittals. Authorities maintained strong law enforcement cooperation with U.S. officials, partnering on at least 15 joint law enforcement operations, one of which resulted in a victim being reunited with her two children. Mexican authorities also enhanced law enforcement cooperation with the United States by forming a new working group to exchange information on human trafficking and migrant smuggling investigations. Some federal government agencies hosted anti-trafficking training with foreign donor support and funding, but much specialized training was provided by foreign governments and civil society.

Women in prostitution in Mexico City stated officials forced them to sign declarations accusing detained individuals of trafficking, raising serious concerns about law enforcement tactics. Labor officials in the capital certified some people independently engaged in prostitution to prevent them from being detained or extorted by authorities. Women at nightclubs and other establishments launched protests in response to authorities' reported use of violence during anti-trafficking operations in Mexico City. NGOs also reported officials often re-victimized trafficking victims by their lack of sensitivity. Despite ongoing reports of extensive official complicity, authorities did not report any prosecutions or convictions of government employees complicit in trafficking in 2014; the government has not reported convicting a complicit official since 2010. Authorities apprehended a municipal employee wanted for trafficking in Oaxaca but did not report new investigations of complicit officials in 2014. The government did not report the status of the 2013 investigation of two Tijuana police officers for exploiting a sex trafficking victim or the status of the 2012 investigation of a Chihuahua state employee charged with forced labor.

PROTECTION

The government continued to provide limited specialized services for trafficking victims. Some government institutions had informal victim referral procedures, but most government officials lacked clear guidelines for identifying and referring victims to care services. Immigration agents continued to ask detained migrants if they were trafficking victims and lacked in-depth screening mechanisms. NGOs were critical of the government's ability to accurately identify trafficking victims among vulnerable populations, such as migrants. Anti-trafficking experts and people in prostitution reported officials often did not always differentiate between sex trafficking victims and women in prostitution—due in part to the overly broad anti-trafficking law—making victim identification statistics unreliable. The government reported identifying 1,570 Mexican trafficking victims but did not report how many were exploited in forced labor or sex trafficking. In 2013, in comparison, federal entities reported identifying and assisting over 1,000 victims, though a government-issued report cited two different victim identification numbers; this contradiction highlighted data integrity concerns.

It was unclear how many identified victims received particular services—such as shelter—and victim services in most parts of the country remained inadequate in light of the significant number of trafficking victims identified by NGOs and officials. The Special Prosecutor's Office for Violence Against Women and Trafficking in Persons (FEVIMTRA) received 10 million pesos (\$680,000) in 2014 to address the rights of assistance to female victims of extreme violence, including human trafficking. NGOs, many receiving foreign donor or private funding, provided the majority of specialized assistance. Coordination between federal, state, and local officials on victim services and case management was weak. The Mexican consular network in the United States provided support to 21 labor trafficking victims and an unknown number of sex trafficking victims in 2014. FEVIMTRA operated a high-security shelter in Mexico City for female victims of sex trafficking and other forms of extreme violence who were participating in the legal process against their exploiters. The shelter housed an unspecified number of trafficking victims for up to three months; victims were not allowed to leave the shelter alone, reportedly due to safety concerns. NGOs raised concerns this arrangement re-traumatized some victims, leading some victims to flee the

shelter. Government entities at the federal and state level provided some victims with emergency services, such as medical attention, food, and temporary lodging. Shelters for vulnerable children under the age of 13 and for female victims of violence did not report how many trafficking victims they assisted in 2014. Experts and victims cited the need for open shelters with specialized services for trafficking victims including access to psychosocial care and reintegration services, particularly job training. Government-funded services for male and forced labor victims were particularly weak. The national human rights commission (CNDH) reported cases of victims housed in inappropriate accommodations, such as migration detention centers, and noted the lack of services for victims with specific needs, such as drug addiction. A federal victim assistance protocol was drafted in 2014 but remained pending; some states also drafted victim care protocols.

Many victims were afraid to identify themselves as trafficking victims, and few sought legal remedies due to their fear of retribution from traffickers, the lack of specialized services, or a lack of trust in authorities. Mexican law has provisions to protect victims from punishment for unlawful acts committed as a direct result of being subjected to trafficking, but there were reports some victims were punished in practice. Some officials transferred victims to the National Institute of Migration (INM) for detention and deportation due to victims' legal status or lack of formal identification as trafficking victims. Foreign trafficking victims could legally be eligible for refugee status independent of any decision to testify against suspected traffickers, though civil society reported this legal alternative to deportation was often not provided in practice. Many foreign trafficking victims returned to their countries of origin after giving testimony, in some cases due to a lack of adequate shelter or information about their rights. INM reported providing food and migratory assistance to 29 foreign trafficking victims in 2014 and issued 25 authorizations to remain in the country on the basis of humanitarian issues—which could be renewable on a yearly basis depending on the victims' specific circumstances—compared with 47 victims assisted in 2013. In some cases, authorities shared victims' names and case details with the press. It was unclear if any trafficking victims were awarded restitution.

PREVENTION

Federal and state authorities engaged in a range of anti-trafficking prevention efforts, though overall prevention efforts were inadequate given the magnitude of the problem. The interagency anti-trafficking commission met twice a year to coordinate federal government efforts and released a report on 2013 national anti-trafficking efforts. The government released a national action plan for 2014-2018, but did not dedicate additional funds to implement the plan. Experts reported interagency coordination at the federal and state levels was uneven, though several jurisdictions reported increased anti-trafficking activity.

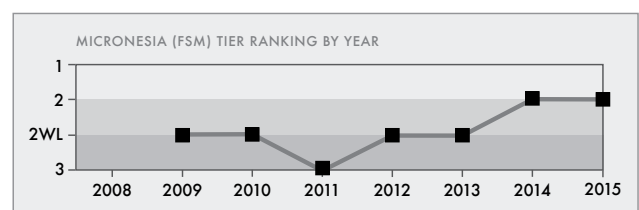
Twenty-two states had state-level anti-trafficking committees, of which 12 were launched or reconfigured in 2014, and which varied in effectiveness. Federal and state governments engaged in a variety of awareness-raising activities, including by distributing educational materials—including in indigenous languages and sign language—and publicizing phone numbers to report trafficking crimes anonymously. CNDH conducted extensive anti-trafficking training and awareness sessions for a range of audiences. The Federal District government provided funding to an anti-trafficking hotline for the capital. Authorities eliminated charges for documents

allowing Guatemalan and Belizean citizens to work along the southern border; and established an additional center in Guatemala to register people for the card. Authorities did not report efforts to criminally punish fraudulent labor recruiters. Officials continued efforts to prevent child sex tourism through training sessions, partnering with the tourism chamber of commerce, and distributing awareness materials to reduce the demand for sexual exploitation of children in tourism destinations. While the government investigated some child sex tourism cases, it did not report how many child sex tourists it prosecuted or convicted, if any, and some NGOs alleged that some corrupt local officials allowed child sex tourism to occur. Authorities reported no efforts to reduce the demand for forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel.

MICRONESIA, FEDERATED STATES OF: Tier 2

The Federated States of Micronesia (FSM) is a source, transit, and, to a limited extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. The groups most vulnerable to trafficking in FSM include foreign migrant workers and Micronesian women and girls who allegedly engage in prostitution at restaurants frequented by crew members of docked Asian fishing vessels. FSM women are recruited with promises of well-paying jobs in the United States and its territories, but are subsequently forced into prostitution or domestic labor upon arrival. Local authorities claim many sex trafficking cases are unreported due to victims' fear of embarrassment in FSM's insular communities. Foreign migrants from Southeast Asian countries report working in conditions indicative of human trafficking on Asian fishing vessels in FSM or its territorial waters.

The Government of the Federated States of Micronesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the FSM government continued a prosecution initiated in 2013 involving one alleged Micronesian offender and eight Micronesian victims. It also continued to coordinate efforts across four states to implement the national plan of action. The government did not, however, identify any trafficking victims, despite evidence of trafficking in investigations involving foreign crew on fishing vessels. The government did not initiate new prosecutions against suspected traffickers. It continued to lack a formal system to identify or refer victims to appropriate services. The government did not allocate specific budgetary funding for victim protection and assistance, but provided protection and assistance for eight Chuukese victims identified in a previous reporting period.



RECOMMENDATIONS FOR THE FEDERATED STATES OF MICRONESIA:

Develop and implement procedures for the proactive identification

of trafficking victims among vulnerable populations, such as people on fishing vessels in FSM or its territorial waters, women and girls in prostitution, and FSM nationals migrating to the United States for work; increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers; develop and implement a victim referral system and establish specialized protective services for trafficking victims; continue to implement the national plan of action; and continue to collaborate with traditional leaders to raise awareness of trafficking and to break away from customary practices that render Micronesians vulnerable to trafficking.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The national anti-trafficking law prohibits all forms of trafficking, and prescribes penalties of up to 15 years' imprisonment for adult trafficking, 30 years' imprisonment for child trafficking, and fines up to \$50,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. FSM's four states have laws that implement the national law. Pohnpei state's law prohibits sex trafficking of children and forced labor of adults, but not sex trafficking of adults; it prescribes penalties for these crimes of up to 10 years' imprisonment, fines up to \$10,000, or both. Chuuk state's law includes the same prohibitions, but prescribes penalties of up to 15 years' imprisonment for forced labor, 25 years' imprisonment for child trafficking, fines up to \$10,000, or both. Kosrae state's law prohibits all forms of trafficking and prescribes penalties of 10 years' imprisonment, fines up to \$20,000, or both. Yap state's law prohibits all form of trafficking and prescribes penalties of up to 15 years' imprisonment, fines up to \$1,000,000, or both. Penalties in each of these four states are sufficiently stringent and commensurate with penalties prescribed for other serious offenses.

The government initiated two new investigations, compared with three in 2013, of suspected trafficking offenses involving more than 50 Indonesian and Vietnamese men serving as the crew of six different boats. Both cases were treated as smuggling cases despite evidence of human trafficking, such as confiscation of crew members' passports, exploitative working conditions onboard the vessels, and the crew's severe malnutrition. Three investigations of suspected sex trafficking offenses initiated last year remained pending at the end of the reporting year. One prosecution, a case from 2009 against a Micronesian man for the exploitation of eight Chuukese females, had its first hearing in February 2015; the case remained pending at the end of the reporting period. The government provided \$20,852 to the Yap and Kosrae State Police for training on anti-trafficking investigation and reporting procedures. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government demonstrated inadequate efforts to identify and protect trafficking victims. It did not identify any new trafficking victims, even in cases in which elements of forced labor were present, and did not develop or implement a system to identify trafficking victims among vulnerable groups, such as foreign workers, women and children in prostitution, or men stranded on boats in the FSM waters or ports. Two cases involving six boats were seen as smuggling cases; however, the government provided food and general medical care to the men found onboard during the investigation and prosecution of the case and

coordinated with their respective embassies to repatriate them. The government made no efforts to refer potential trafficking victims to specialized trafficking services or allocate resources to provide such services. The government continued to provide hotel accommodation, food, security, and flights between Chuuk and Pohnpei for the eight Chuukese victims identified in a 2009 trafficking case. The government reported that any identified trafficking victims would have access to limited social services, such as the mental health program at a hospital in Kosrae state and legal assistance provided to victims of general crime through the public defenders offices at the national and state level. FSM officials did not provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution, or incentives to participate in trials. There were no reports of potential trafficking victims being punished for crimes committed as victims of trafficking; however, the government identified no victims.

PREVENTION

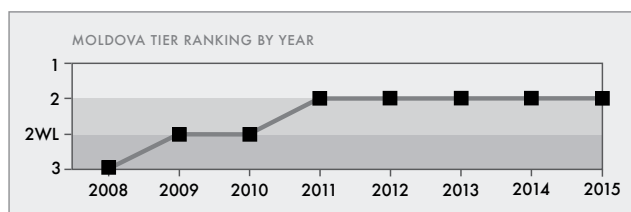
The government maintained efforts to prevent trafficking. As part of the January 22 National Trafficking Day, the government launched a trafficking awareness campaign in all four states. National Trafficking Day activities included remarks by President Mori, other high ranking officials, members of civil society, and students. The government spent \$92,500 for its anti-trafficking efforts in 2014, an increase from \$75,000 in 2013. The government continued to provide \$190,000 for the two migrant resource centers in Pohnpei and Chuuk, where representatives of national and state law enforcement, local churches, and women's groups received anti-trafficking training. The government did not develop or disseminate campaigns aimed at reducing the demand for commercial sex acts; it met with agents and owners of foreign fishing companies to discuss implications of labor trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

MOLDOVA: Tier 2

Moldova is primarily a source country for men, women, and children subjected to sex trafficking and forced labor. Moldovan victims are subjected to sex and labor trafficking within Moldova and in Russia, Ukraine, Turkey, United Arab Emirates, Greece, Cyprus, and other countries. Women and minors are subjected to sex trafficking in Moldova in brothels, saunas, and massage parlors. Moldovan men are subjected to forced labor in agriculture and construction in Ukraine and Russia; Moldovan women are also subjected to forced labor in agriculture in Ukraine. Foreign tourists, including those from Europe, Thailand, Australia, Israel, and the United States, subject Moldovan children to commercial sexual exploitation. The breakaway region of Transnistria remains a source for victims of both sex and labor trafficking. Corruption in the judicial system poses an acute challenge for bringing traffickers to justice. Official complicity in trafficking is a significant problem in Moldova.

The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted more traffickers, but judicial corruption impeded prosecutions and influenced outcomes of cases. The government did not open any new criminal cases against officials involved in trafficking-related crimes and convicted only one complicit official. The government maintained victim identification efforts and increased funding

for victim assistance. Victims and witnesses were reluctant to participate in trials due to insufficient protection afforded by the government.



RECOMMENDATIONS FOR MOLDOVA:

Vigorously investigate, prosecute, and convict traffickers with appropriately dissuasive sentences; increase efforts to convict and sentence government officials complicit in human trafficking; implement measures to address corruption in the judicial sector to improve outcomes of trafficking cases; improve protection of victims and witnesses during court proceedings; reform the criminal procedure code to allow for wiretapping of suspected traffickers without prior notification and investigation of suspected traffickers' finances to avoid an overreliance on victim testimony as evidence; continue prosecutions for witness tampering and intimidation; train police, judges, and prosecutors on a victim-centered approach to investigations; facilitate compensation for damages suffered by victims in accordance with Moldova's criminal code; provide victims access to medical insurance per Moldovan law; and do not punish victims for crimes committed as a direct result of being subjected to human trafficking.

PROSECUTION

The government increased law enforcement efforts, but judicial corruption hindered the successful conviction and sentencing of traffickers. Moldovan law prohibits all forms of trafficking through Articles 165 and 206 of the criminal code. Proscribed penalties under these articles are five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 175 trafficking cases in 2014, an increase from 155 cases in 2013. The government prosecuted 49 trafficking cases in 2014, a slight decrease from 51 cases in 2013. The government convicted 43 traffickers in 2014, a significant increase from 25 traffickers convicted in 2013. However, six sentences were suspended, and only 37 offenders were sentenced to prison. Of the 37 offenders sentenced to prison, 26 were convicted of sex trafficking, two of labor trafficking, six of sexual exploitation of minors, and three for forcing children to beg. Sentences ranged from five to 13 years' imprisonment.

The Moldovan judiciary often applied sentences that did not correspond with the severity of the crime, imposing only fines or commuted prison terms on convicted traffickers. Convictions have been frequently reversed on appeal for reasons poorly explained by judges. Prosecutors relied almost exclusively on victim testimony, which meant that cases in which the victim was intimidated resulted in acquittals. Prosecutors were not permitted to request detailed information about accused traffickers' finances due to the exemption of human trafficking crimes from the criminal code section on crimes warranting financial investigation. In 2014, prosecutors began charging traffickers and defense attorneys with obstruction of justice when victims were threatened or intimidated.

Prosecutors initiated seven criminal cases for witness intimidation during the reporting period, five of which were related to human trafficking; three of the cases went to trial and four remained under investigation.

In mid-2014, the interior affairs ministry's center for investigating and prosecuting trafficking crimes divided into three sections focusing on sex trafficking, labor trafficking, and exceptional cases involving children and organ removal. NGOs reported excellent cooperation with the center, but experts cited lack of resources and corruption as limiting its effectiveness. The government successfully cooperated with Russian, Greek, and Italian authorities and INTERPOL on cases that led to the identification of multiple victims and the initiation of prosecutions against traffickers. The government trained 40 border police officers on identifying labor trafficking and 160 officials and psychologists on interviewing child victims of abuse and sexual exploitation. Candidates for judges and prosecutors were required to complete a 40-hour course on trafficking.

Official complicity remained a significant problem. The government did not initiate any prosecutions of officials for trafficking-related crimes in 2014. Courts convicted only one complicit official, a police investigator sentenced to three years' imprisonment for compelling a person into prostitution, though two of those years were suspended. The government prosecuted the head of a human rights agency for forcing children to beg in Russia and a bailiff for compelling two persons into prostitution; both trials were ongoing as of April 2015. In January 2015, police placed under house arrest the director of Fashion TV-Moldova while investigating his involvement in human trafficking and related crimes; the suspect previously headed the interior affairs ministry's division to combat organized crime and worked in the anti-trafficking center. Courts acquitted the former head of the Biathlon Federation of Moldova of child trafficking charges and applied a 3,000 leu (\$164) fine for organizing illegal migration; prosecutors appealed the sentence. Courts still had not issued a verdict in a 2013 case against a police officer who allegedly accepted a bribe to convince his colleagues to close the investigation of a trafficking case. The government's appeal of a June 2013 Supreme Court decision that overturned the conviction of the head of a child trafficking ring was rejected as inadmissible. Observers suspected corruption in the anti-trafficking center's investigative section and expressed concern over inaction by local and regional law enforcement officials on trafficking cases.

PROTECTION

The government maintained victim identification efforts and increased funding for victim assistance. The government identified 264 trafficking victims in 2014, compared with 262 in 2013, and assisted 85 victims, compared with 105 in 2013. Of the total identified victims, 116 were subjected to sex trafficking, 91 to labor trafficking, 53 to forced begging, and four to forced criminal activities. There were 238 adult victims and 26 minors; the majority of victims, 231, were subjected to trafficking abroad. The government provided 7,256,300 leu (\$467,000) to seven domestic violence shelters that assisted trafficking victims, an increase from the 6,011,900 leu (\$387,000) provided in 2013. The government fully funded the Chisinau Assistance and Protection Center, which received victims repatriated from abroad, providing 2,899,100 leu (\$186,000) in 2014, more than twice the 1,312,100 leu (\$84,400) provided in 2013. The government spent 600,000 leu (\$38,600) for the repatriation of victims in 2014, a large increase from the 120,000 leu (\$7,720) spent in 2013. Teams of

local officials and NGOs were present in all regions of Moldova to coordinate victim identification and assistance. The government provided trafficking victims with shelter and medical, legal, and psychological assistance, regardless of their cooperation with law enforcement. Authorities recognized legal aid and long-term reintegration support were insufficient, however, and victims were unable to get free medical insurance. Male victims had access to specialized medical and psychological care. Child trafficking victims were placed with relatives, in foster care, or in rehabilitation clinics that provided specialized medical and psychological care. Child victims 14 years old or younger were interviewed in specialized hearing rooms with recording equipment with the assistance of a psychologist. Reportedly, the government did not adequately protect victims participating in investigations and prosecutions. Shelters had little security and corruption undermined police protection. Prosecutors did not maintain regular contact with the victims nor adequately prepare them for trial. Some victims experienced intimidation in the courtroom and were pressured by traffickers to change their testimony.

Victims had the right to sue traffickers for damages, but most did not due to threats from perpetrators, inability to present proof required by courts, and perceived corruption in the judiciary. A court ordered a trafficker to pay 14 Moldovan labor trafficking victims 32,160 leu (\$2,070) each in 2014. Moldovan law provides temporary residence permits to foreign victims willing to cooperate with law enforcement, though none were granted during the reporting period. Moldova's criminal code exempts trafficking victims of criminal liability for committing offenses related to their exploitation. However, the government continued to prosecute a labor trafficking victim for theft because the case was investigated under a statute on forced labor, which does not exempt victims from criminal liability. Moldovan law affords trafficking victims a reflection period—time in which to recover before deciding whether to cooperate with law enforcement—but authorities rarely provided one due to criminal procedure rules that require prosecutors to press charges within strict time limits. Transnistrian victims received support from Moldovan shelters.

PREVENTION

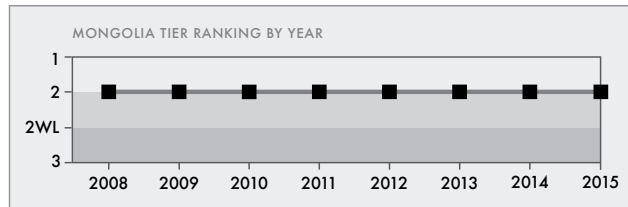
The government maintained considerable efforts to prevent human trafficking. The government adopted its sixth national action plan for 2014–2016. The national anti-trafficking committee secretariat coordinated the government's anti-trafficking response but institutions lacked sufficient resources. The secretariat organized an independent assessment of the implementation of previous national action plans. The government included the labor inspectorate in the national committee to combat labor trafficking. The education ministry trained over 2,600 teachers and school administrators on child abuse, neglect, and trafficking. Secondary education and university students attended classes on trafficking. The government carried out a week-long campaign on traffickers' online recruitment methods and trafficking victim services. The national labor force agency set up a division in 2014 to inform Moldovans about legal employment opportunities abroad. In April 2014, the government adopted guidelines on protecting child victims of trafficking, violence, neglect, and exploitation and launched an information hotline. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel on identifying trafficking victims.

MONGOLIA: Tier 2

Mongolia is a source and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. Mongolian men, women, and children are subjected to forced labor, and women are subjected to sex trafficking abroad, primarily in China, Hong Kong and, to a lesser extent, Malaysia and Indonesia. Mongolian men are subjected to forced labor in Turkey, Kazakhstan, the United Arab Emirates, and the Czech Republic. Mongolian women and girls are subjected to sex trafficking in Sweden. Women are subjected to domestic servitude or forced prostitution after entering into commercially brokered marriages to Chinese men and, with decreased frequency, South Korean men. There have been reports over the past five years that Mongolian girls employed as contortionists, under contracts signed by their parents, have been subjected to forced labor and sometimes forced begging in Mongolia, Hong Kong, India, Singapore, and Turkey. The majority of repatriated Mongolian victims in 2014 were exploited in China.

Women and girls are subjected to sex trafficking in Mongolia in massage parlors, hotels, bars, and karaoke clubs. Traffickers sometimes use drugs or fraudulent social networking, online job opportunities, and English language programs to lure Mongolian victims into sex trafficking. NGO reports suggest an increasing number of victims from rural areas are subjected to sexual exploitation in Ulaanbaatar. Previous reports allege Japanese tourists engage in child sex tourism in Mongolia. Mongolian children are sometimes forced to beg, steal, or work in the informal construction, horse racing, animal husbandry, mining, agricultural, and industrial sectors—often with the complicity of family members. The vulnerability of some Filipina domestic workers in Mongolia to trafficking remains a concern, although immigration authorities noted the number of undocumented workers has decreased significantly. Thousands of North Korean and Chinese workers employed in Mongolia as contract laborers in construction, production, agriculture, forestry, fishing, hunting, factories, wholesale and retail trade, automobile maintenance, and mining are vulnerable to trafficking. North Korean laborers reportedly do not have freedom of movement or choice of employment and receive sub-minimum wages while being subjected to harsh working and living conditions. Chinese workers have reported nonpayment of wages. Corruption among Mongolian officials remains a significant problem in the country, impairing anti-trafficking efforts.

The Government of Mongolia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2014, the government passed five implementing regulations for the Law on Victim and Witness Protection, referred 36 potential trafficking victims to an anti-trafficking NGO for assistance, and promulgated a labor trafficking announcement on social media and television networks. The government maintained limited victim protection efforts in 2014. The government convicted one trafficker in 2014, compared with five in 2013 and began implementation of one of the five regulations necessary to allow for full use of the 2012 anti-trafficking law. During the reporting year, the government reduced funding to an NGO-run shelter, and neither finalized nor implemented the national action plan to combat trafficking.



RECOMMENDATIONS FOR MONGOLIA:

Enact all of the remaining regulations needed to fully implement the 2012 anti-trafficking law and train officials on effective implementation; increase efforts to investigate and prosecute trafficking offenses using Article 113, including those involving foreign workers and internal and child sex trafficking cases; investigate allegations of public officials involved in trafficking; allocate more government funds to support anti-trafficking activities, including to NGO-run shelters, other forms of victim assistance and protection, and training of officials; establish formal procedures to guide government officials in victim identification and referral to protective services; cease penalizing trafficking victims for offenses committed as a result of being subjected to trafficking; investigate and pursue claims of forced labor among North Korean and Chinese workers employed in Mongolia; complete drafting and begin implementation of the national plan of action on trafficking; reduce demand for commercial sex acts through proactive awareness campaigns in major transportation hubs; and investigate allegations of child sex tourism.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. Mongolia prohibits all forms of human trafficking through Article 113 of its criminal code. Article 113, which defines trafficking in accordance with international law, prescribes penalties up to 15 years' imprisonment for trafficking offenses, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 124—inducing others into and organizing prostitution—is a more commonly used statute to prosecute suspected sex trafficking cases, although it does not require proof that force, fraud, or coercion were used, and it prescribes less severe penalties of up to five years' imprisonment. Due to the misconception among many government officials that only girls can be victims of sex trafficking, authorities rarely use Article 113 or Article 124 to prosecute cases in which boys are the victims. Due to ongoing reforms to law enforcement and judicial institutions, jurisdiction for anti-trafficking law enforcement remained nebulous.

In 2014, the National Police Agency investigated eight sex trafficking cases compared with seven in 2013. Two cases were dismissed, two were referred to local police for further investigation after being reclassified under Article 124, and four remained pending at the end of 2014. One investigation of forced labor pending from 2013 resulted in a conviction under Article 121 (forcing a child to labor) and Article 100 (battery/physical abuse). The Judicial General Council reported one case prosecuted and one sex trafficker convicted under Article 113, a decrease from four cases prosecuted and five sex traffickers convicted in 2013; the offender was sentenced to five to eight years' imprisonment. In 2014, the government funded anti-trafficking training courses, conducted by the NGO Gender Equality Center (GEC), for 370 law enforcement officers in nine provinces. However, frequent turnover among prosecutors, judges, and law enforcement officers

continued to undermine the effectiveness of such training. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking, despite reports alleging officials were involved in some aspects of trafficking.

PROTECTION

The government continued minimal efforts to protect victims. Services for victims continued to be provided principally at two government-funded shelters run by the GEC. The government reduced funding for the GEC shelter during the reporting period; it provided 7.90 million tugrik (\$4,000) in 2013 and 5 million tugrik (\$2,500) in 2014. NGOs provided the vast majority of protection services for victims, including long-term resources. In 2014, the GEC assisted a total of 49 potential sex trafficking victims, compared with 45 in 2013; 36 of the 49 were referrals from various government agencies. The remaining 13 victims were referred to the GEC by family or friends. Of 49 potential victims the GEC assisted, 14 chose not to refer their cases for prosecution, often due to fears of being punished for unlawful acts committed as a direct result of being subjected to trafficking, including immigration and prostitution violations. The government did not develop systematic procedures for the proactive identification or referral of trafficking victims among vulnerable groups, leaving many victims unidentified and some vulnerable to being punished. In 2014, the Ministry of Justice passed five implementing regulations for the Law on Victim and Witness Protection, which would increase confidentiality and safety measures for trafficking victims. Although the government did not identify foreign victims during the reporting period, the law does not provide legal alternatives for their removal to countries in which they could face retribution or hardship. Foreign laborers in Mongolia, especially Chinese laborers who were vulnerable to human trafficking, were sometimes fined for violating their visa terms and expelled from Mongolia. While Mongolian law does not provide incentives for victims to assist in trafficking investigations and prosecutions, Mongolia established a private victim and witness room at the First District First Instance Criminal Court in Ulaanbaatar, which may increase victim assistance in prosecutions.

PREVENTION

The government made limited efforts to prevent trafficking. The Anti-Trafficking Sub-Council, the government's coordinating body for anti-trafficking efforts, held senior- and working-level meetings during the reporting year; but for the second consecutive year did not finalize or implement the national action plan to combat trafficking. The government continued work with The Asia Foundation to establish an integrated statistical database. Officials developed and disseminated on social media and television networks a public service announcement on labor trafficking and continued to display trafficking awareness posters in airports and railroad stations. In 2014, authorities continued to provide Mongolian citizens traveling abroad with passport inserts that provided emergency information for trafficking situations; these were distributed at major transportation hubs. The government made no tangible efforts to investigate the labor conditions of North Korean or Chinese contract laborers working in Mongolia. The government did not take any measures to reduce the demand for exploitive labor or commercial sex acts or to address allegations of child sex tourism in the country. In 2014, it provided anti-trafficking training for all deployed peacekeepers. The government did not provide anti-trafficking training or guidance for its diplomatic personnel posted abroad.

MONTENEGRO: Tier 2

Montenegro is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking identified in Montenegro are primarily women and girls from Montenegro, neighboring Balkan countries, and, to a lesser extent, other countries in Eastern Europe. Sex trafficking victims are exploited in hospitality facilities, bars, restaurants, night clubs, and cafes. Children, particularly Roma, are subjected to forced begging. Romani girls from Montenegro reportedly have been sold into marriages in Romani communities in Montenegro and, to a lesser extent, in Kosovo, and forced into domestic servitude. Internationally organized criminal groups occasionally subject Montenegrin women and girls to sex trafficking in other Balkan countries.

The Government of Montenegro does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government maintained strong prevention efforts, but it did not convict any traffickers and acquitted one alleged offender, citing reasons inconsistent with international standards. Other law enforcement efforts were limited; the government initiated five new investigations and prosecuted one suspect. The government provided victim services, but victim identification remained inadequate. In December 2014, the government passed the Foreigners Act, which enables foreign trafficking victims to obtain three- to twelve-month residence permits and requires police to work with NGOs and social workers to determine if a minor is a trafficking victim and eligible to receive healthcare, education, and social services.



RECOMMENDATIONS FOR MONTENEGRO:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials; greatly increase proactive screening of potential victims, especially for children in forced begging and women in forced prostitution; develop a multi-disciplinary approach to proactive victim identification and include civil society groups and NGOs in the national referral mechanism; train law enforcement and judiciary officials on victim assistance and the prosecution of traffickers; train law enforcement, border police, and public officials working with vulnerable populations on victim identification and referral procedures; make efforts to ensure raids to free trafficking victims minimize harm to victims and include arrangements to segregate traffickers from victims, conduct victim-centered interviews, cross-reference victims' accounts, and quickly transition identified victims to post-rescue care and shelter; and encourage trafficking victims' participation in prosecutions in a manner that protects victims.

PROSECUTION

The government continued to make inadequate law enforcement efforts to address human trafficking. Montenegro prohibits sex and labor trafficking through Article 444 of its criminal code,

which prescribes penalties of up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2014, the government launched five trafficking investigations involving 14 suspects, compared with one investigation in 2013. The government initiated the prosecution of one defendant in 2014, the same as in 2013. The government did not secure any new convictions in 2014, a decrease from seven in 2013. In one case, a court dismissed sexual exploitation and forced labor charges against a defendant due in part to the victim being married to the defendant; however, neither Montenegrin nor international law on human trafficking provides for such an exception. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Authorities provided specialized training for police officers, prosecutors, 260 border officers, 15 labor inspectors, and other officials on victim identification.

PROTECTION

The government continued to make inadequate protection efforts. Though it continued to fund victim services, efforts to identify victims were lacking, particularly among children in forced begging. The government identified two trafficking victims in 2014—one woman and one girl—the same number identified in 2013. Both were subjected to trafficking for purposes of sexual exploitation. Authorities formally identified no labor trafficking victims, despite the police identifying 156 child beggars in 2014. The government provided shelter to both identified sex trafficking victims and one potential sex trafficking victim. Authorities repatriated both victims in collaboration with receiving country officials. No victims participated in the prosecution of their traffickers in 2014. Observers believe the numbers of trafficking cases and victims are underestimated, given the general stigma and fear attached to reporting a criminal case. The police's organized crime unit, responsible for investigating trafficking cases, regularly conducted raids in commercial sex sites, escort agencies, and bars; however, police did not identify any victims through raids in 2014. In cooperation with international organizations, the government disseminated a victim identification checklist containing trafficking indicators in the form of business cards to all law enforcement agencies, including border police and prosecutors, health and social workers, and school directors. The government allocated 152,422 euro (\$184,000) to the anti-trafficking coordinator's office, a seven percent decrease from approximately 164,111 euro (\$199,000) in 2013. A portion of this budget funded a shelter for trafficking victims jointly operated with an NGO. The shelter was open to both domestic and foreign victims; male victims were accommodated in separate living quarters in the shelter. Children were accommodated in the shelter separately from adults. Victims could leave the shelter after an assessment made by police, or by the social welfare centers in the cases of children. Authorities offered victims medical, psychological, legal, and social assistance. Montenegrin law provides for the possibility for victim restitution, although there were no cases in which a victim requested or obtained restitution. The law authorizes foreign victims to receive a temporary residence permit lasting from three months to one year, although no victims applied for residency in 2014. In December 2014, Parliament passed the new Foreigners Act, effective as of April 2015, which enables foreign trafficking victims to obtain three- to 12-month residence permits and work authorization. The Act also requires police to work with NGOs and social workers to determine if a minor is a trafficking

victim and, therefore, eligible to receive healthcare, education, and social services. The Foreigners Act also guarantees child victims will receive witness protection if necessary and will not be returned to their country of origin if doing so would endanger their wellbeing. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government maintained strong prevention efforts. The government had an anti-trafficking strategy for 2012-2018 and adopted a 2014 action plan in March 2014; the 2015 action plan was adopted in January 2015. The government produced semiannual reports of the progress made on the strategy and action plan. The anti-trafficking office had the overall lead on anti-trafficking efforts. The head of the office was also the national coordinator for the anti-trafficking taskforce, comprising members from the government, two NGOs, and the international community. NGOs reported good cooperation with government agencies on tasks arising from the action plan. Taskforce members held the first meeting of a coordination team established in September 2014 and met twice to coordinate assistance to two potential trafficking victims. The government organized workshops in high schools and continued to fund the SOS hotline for victims of abuse and domestic violence, including trafficking victims. In addition, the government conducted a national awareness campaign that included a video shown on television stations. Authorities provided specialized training to labor inspectors; however, inspectors failed to identify any cases of forced labor during employment inspections. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

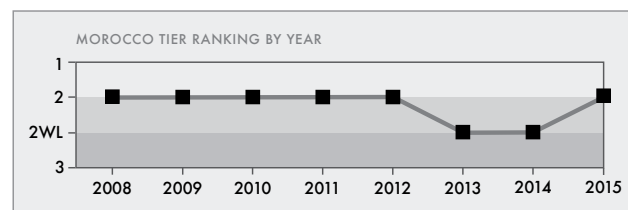
MOROCCO: Tier 2

Morocco is a source, destination, and transit country for men, women, and children who are subjected to forced labor and sex trafficking. Some rural Moroccan girls as young as 6 years old are recruited to work in domestic service in cities and become victims of forced labor, experiencing nonpayment of wages, threats, restrictions on movement, and physical, psychological, or sexual abuse; however, an NGO reported the incidence of child domestic work has decreased since 2005. Some Moroccan boys endure forced labor while employed as apprentices in the artisanal and construction industries and in mechanic shops. Some men, women, and children, primarily from sub-Saharan Africa and South Asia, enter Morocco voluntarily, but illegally, with the assistance of smugglers; upon arrival, some of the women and older girls are coerced into prostitution or, less frequently, domestic service. International organizations and local NGOs report unaccompanied children and women from Cote d'Ivoire, the Democratic Republic of the Congo, and Nigeria are highly vulnerable to sex trafficking and forced labor in Morocco. Some women from the Philippines and Indonesia are recruited for employment as domestic workers in Morocco; upon arrival, some are subjected to forced labor, experiencing nonpayment of wages, withholding of passports, and physical abuse at the hands of their employers. A local NGO noted in 2014 that the lack of a Philippine embassy or consulate in Morocco puts Philippine nationals, particularly domestic workers, at additional risk of trafficking and makes it more difficult for them

to receive protection services. Criminal networks operating in Oujda, on the Algerian border, as well as in the northern coastal town of Nador, force undocumented foreign migrant women into prostitution and begging; these networks in Oujda also reportedly force children into begging. Some female migrants who transit Oujda, particularly Nigerians, are forced into prostitution once they reach Europe. In 2014, Morocco experienced a notable increase in the number of Syrian migrants and refugees, though no information about their vulnerability to trafficking in Morocco was available.

Moroccan men, women, and children are exploited in forced labor and sex trafficking primarily in Europe and the Middle East. Moroccan women are forced into prostitution primarily in the United Arab Emirates, Bahrain, Jordan, Libya, Syria, and in Europe; some of them experience restrictions on movement, threats, and emotional and physical abuse. Recruiters reportedly offer Moroccan men jobs in the Persian Gulf, but seize the victims' passports and subject them to debt bondage after arrival. Some Moroccan men and boys, initially lured to Europe by fraudulent job offers, are subsequently forced to sell drugs. Some foreigners, particularly European nationals primarily from France and Spain, engage in child sex tourism in major Moroccan cities.

The Government of Morocco does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In the reporting period, the government moderately improved efforts to support civil society organizations that work with vulnerable migrant populations. It also developed a national anti-trafficking action plan to adopt anti-trafficking legislation. Moroccan law does not prohibit all forms of human trafficking, and officials continued to conflate human trafficking, human smuggling, and illegal migration. The government reported on its modest efforts to investigate and prosecute trafficking and trafficking-related crimes; however, it was unable to provide documentation of the convictions of trafficking offenders in 2014. For several years, the government has failed to proactively identify or provide protective services to trafficking victims among vulnerable populations. It made negligible efforts to screen for trafficking victims among irregular migrants, especially the sub-Saharan migrant community, and authorities continued to round up, arrest, detain, and deport foreign trafficking victims among this population.



RECOMMENDATIONS FOR MOROCCO:

Enact and implement legislation that prohibits all forms of trafficking and prescribes sufficiently stringent penalties for all forms of human trafficking, distinct from human smuggling; significantly increase investigations, prosecutions, and convictions of trafficking offenders, and ensure stringent sentencing; ensure victims are not punished for crimes committed as a direct result of being subjected to human trafficking, such as immigration violations; proactively identify trafficking victims, especially among the foreign migrant community; develop and implement formal procedures for victim

identification and subsequent referral to care; provide funding and in-kind support to NGOs that provide specialized services for trafficking victims, including foreign victims, and refer victims to these service providers; significantly improve law enforcement data collection and reporting, including the disaggregation of data between human trafficking and human smuggling crimes; and conduct public awareness campaigns addressing all forms of trafficking.

PROSECUTION

The government made modest anti-trafficking law enforcement efforts. Morocco lacks an anti-trafficking law, which remained a serious obstacle to successfully prosecuting human trafficking crimes and contributed to confusion among officials in differentiating human smuggling, illegal migration, and human trafficking offenses. Morocco's penal code prohibits forced child labor through Article 467-2, which prescribes punishment of one to three years' imprisonment. The penal code also prohibits forced prostitution and child prostitution through Articles 497-499, which prescribe punishment of up to 10 years' or life imprisonment for crimes found to have occurred with aggravated circumstances. The penal code does not specifically define and penalize sex trafficking. Article 10 of Morocco's labor code prohibits forced labor of a worker; this offense is punishable by a fine for the first offense and a jail term of up to three months for subsequent offenses. With the exception of the punishments for aggravated forced and child prostitution crimes, the penalties are generally insufficiently stringent. The government reported modest law enforcement efforts against potential sex trafficking crimes. The government reported multiple cases involving suspects allegedly engaged in the prostitution and sexual exploitation of children; however, without details on these cases, it was unclear whether they included trafficking offenses and if any trafficking offenders were brought to justice. The government reported it initiated the prosecution of 37 individuals employing children as domestic workers; however, it was unclear whether any of these cases amounted to forced labor. It also reported disbanding 19 human smuggling and trafficking networks in 2013 and 2014, but it did not provide details about efforts to investigate and prosecute criminal actions by such groups. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. The government provided anti-trafficking training for 937 Royal *Gendarmerie* officials/border guards, as well as for other government ministries, NGOs, and journalists at one session held in November 2014.

PROTECTION

The government's efforts to identify and protect trafficking victims remained insufficient. In 2014, the government did not report attempting to identify or proactively identifying victims, including those within vulnerable populations such as irregular migrants and refugees encountered by officials through the government's migrant regularization program. International organizations and NGOs, however, independently identified victims among these populations during the year. As part of its regularization program in 2014, the government issued residence permits and granted access to government services, such as education, health, and employment assistance, for irregular migrants and refugees. Nonetheless, there was no evidence of government services designed specifically to assist trafficking victims or funding allocations for this purpose. The government also did not report providing care for repatriated Moroccan trafficking victims. While the government made services

available to women and child victims of violence, through its Ministry of Justice and child reception centers, it did not report on the use of these services by trafficking victims. The government relied heavily on NGOs and charitable organizations to provide protective services to victims, with limited funding or in-kind support. However, NGOs and international organizations reported having an active working relationship with local law enforcement officials, who reportedly referred cases of at-risk children—some of whom may be trafficking victims—to protection services. In addition, in 2014, the Ministry of Moroccans Resident Abroad and Migration Affairs announced it signed partnership agreements with 25 civil society organizations to provide urgent humanitarian services to vulnerable migrant populations, including potential trafficking victims. The government reportedly encouraged victims to provide testimony in the investigation against traffickers and Decree No. 1-11-164 provided greater protections to victims and witnesses that testify against traffickers; however, it did not provide evidence that any victims testified in 2014.

The government failed to protect trafficking victims from prosecution for crimes committed as a direct result of being subjected to human trafficking. NGOs, foreign embassies, and civil society groups reported that, although government raids on migrant communities in the north and refoulements to Algeria decreased in 2014, authorities continued to round up, arrest, detain, and deport illegal foreign migrants, including trafficking victims. Moroccan authorities did not make efforts to identify potential trafficking victims among those arrested and deported; rather, authorities often treated primarily male foreign victims as illegal migrants. Furthermore, in 2014, the media, international organizations, and civil society frequently reported violence—from forcible deportation to loss of life—against sub-Saharan migrants, including potential trafficking victims, at the hands of both Moroccan and Spanish authorities along the borders of the Spanish enclaves of Melilla and Ceuta. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

PREVENTION

The government made some progress in preventing human trafficking. In December 2014, the government adopted a national strategy on migration and asylum, which included anti-trafficking measures. The government also developed a national anti-trafficking action plan, which included commitments to finalize and adopt an anti-trafficking law, develop victim protection measures, provide anti-trafficking training for officials, and invest in prevention campaigns. In 2014, the government did not hold anti-trafficking awareness campaigns; however, in coordination with an international organization, it began conducting a study of human trafficking in Morocco. While the Ministry of Employment and Social Affairs conducted 312 labor inspections and identified hundreds of child laborers in the first quarter of 2014, inspectors did not identify trafficking victims among this group. Inspectors continued to be hindered by inadequate staffing and did not have the legal authority to enter homes, preventing them from identifying children or adults in domestic servitude. The government reported conducting an unknown number of inspections of private employment agencies that failed to follow employment regulations, but it did not provide information on the outcomes of such inspections. The government took measures to reduce the demand for commercial sex acts and child sex tourism through its "Integrated Public Policy for the Protection of Children," which aims to improve the legal framework on child protection to include implementing criminal

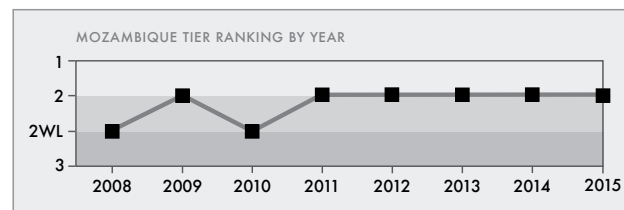
penalties for the sexual solicitation of children online and sexual tourism. In addition, the government continued to work with the tourism industry to prevent sexual exploitation of children. The government reportedly provided its diplomatic personnel human rights training, which included sections on labor law and human trafficking issues. The government provided training on the issue of sexual exploitation, but not specifically of human trafficking, to Moroccan soldiers prior to their deployment abroad on UN peacekeeping missions.

MOZAMBIQUE: Tier 2

Mozambique is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The use of forced child labor is common in agriculture and market vending in rural areas, often with the complicity of family members. Women and girls from rural areas, lured to cities in Mozambique or South Africa with promises of employment or education, are exploited in domestic servitude and sex trafficking. Mozambican girls are exploited in prostitution in bars, roadside clubs, overnight stopping points, and restaurants along the southern transport corridor that links Maputo, Swaziland, and South Africa. Child prostitution is increasing in Maputo, Beira, Chimoio, and Nacala, which have highly mobile populations and large numbers of truck drivers. As workers and economic migrants seek employment in the growing extractive industries in Tete and Cabo Delgado, they increase the demand for sexual services, potentially including child prostitution. Women and girls from neighboring countries voluntarily migrate to Mozambique and subsequently endure sex trafficking or domestic servitude. Mozambican men and boys are subjected to forced labor on South African farms and mines, or as street vendors, where they often labor for months without pay under coercive conditions before being turned over to police for deportation as illegal migrants. Mozambican boys migrate to Swaziland to wash cars, herd livestock, and sell goods; some subsequently become victims of forced labor. Mozambican adults and girls are subjected to forced labor and sex trafficking in Angola, Italy, and Portugal. Mozambican or South African trafficking networks are typically informal; larger Chinese and Nigerian trafficking syndicates are reportedly also active in Mozambique. South Asian people smugglers who move undocumented South Asian migrants throughout Africa reportedly transport trafficking victims through Mozambique. Reports allege traffickers bribe officials to move victims within the country and across national borders to South Africa and Swaziland, and prison officials force women to provide sex acts in exchange for provisions.

The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government sponsored the establishment of coordinating bodies, known as “reference groups,” in three additional provinces and reported its investigation of 27 trafficking cases. The government reported maintenance of strong law enforcement efforts, prosecuting 44 suspected traffickers and convicting 32—a continued increase from 24 convicted in 2013 and 23 in 2012. However, the government did not finalize its national action plan or the implementing regulations for the 2008 anti-trafficking law. Furthermore, the government did not report its identification or protection of victims during the year. Despite enactment of a victim protection law and development of a referral mechanism for victims of all crimes in 2012, the

government’s funding for and provision of protective services remained inadequate.



RECOMMENDATIONS FOR MOZAMBIQUE:

Increase efforts to prosecute and convict suspected trafficking offenders; finalize and implement the national action plan, and issue regulations necessary to implement the protection and prevention provisions of the 2008 anti-trafficking law; institute a unified system for collecting trafficking case data; investigate reports of official complicity in trafficking crimes and vigorously prosecute cases against those implicated in trafficking offenses; build the capacity of the police anti-trafficking unit, the labor inspectorate, and the Women and Children’s Victim Assistance Units to investigate trafficking cases and provide short-term protection to victims; develop a formal system to identify proactively trafficking victims among vulnerable populations; monitor the reported growth of commercial sex in Tete and Cabo Delgado provinces and train officials to investigate and prosecute those facilitating child or forced prostitution; expand the availability of protective services for victims *via* increased funding to the Ministry of Gender, Children, and Social Action and NGOs; continue training law enforcement officers in victim identification, particularly at border points; consider establishment of an inter-ministerial body to coordinate anti-trafficking efforts nationwide; and launch anti-trafficking awareness campaigns in additional municipalities and provinces outside Maputo and Beira.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The Law on Preventing and Combating the Trafficking of People, enacted in 2008, prohibits recruiting or facilitating the exploitation of a person for purposes of prostitution, forced labor, slavery, or involuntary debt servitude. Article 10 prescribes penalties of 16 to 20 years’ imprisonment for these offenses, which are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. In 2014, the government enacted a new penal code, which includes prohibitions on involuntary commercial sexual exploitation and forced labor of men and women. The government continued to manually compile anti-trafficking law enforcement data; however, it did not provide case-specific details. During the year, the government initiated investigation of 27 trafficking cases and began prosecution of 44 suspected traffickers. It convicted 32 offenders under the 2008 anti-trafficking law, all of whom received prison terms from two to 20 years. These efforts are indicative of the government’s continued commitment to hold offenders accountable, given the conviction of 24 trafficking offenders in 2013 and 23 in 2012. As the 2008 anti-trafficking law includes prohibitions against organ trafficking, which is known to exist in Mozambique, these law enforcement efforts likely included cases beyond sex and labor trafficking.

The government, in partnership with international organizations, continued to offer an anti-trafficking course for all newly recruited

police officers, border guards, customs and immigration agents, and rapid intervention (riot) police. The course covered recognition of trafficking cases, protection of victims, child rights, and child custody law, and became a permanent component of the training curriculum during the year. Mozambican officials hosted a national debate on combating trafficking for traditional leaders, border authorities, police, and NGOs; however, investigative techniques, training, capacity, and forensic abilities continued to be weak, particularly outside of the capital. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. During the year, Mozambican officials held cross-border meetings with officials from South Africa's Mpumalanga provincial anti-trafficking task team to discuss the repatriation of child trafficking victims.

PROTECTION

The government maintained limited efforts to protect victims of trafficking. It lacked formal victim identification procedures and did not report the number of victims identified and assisted during the year. Officials continued to rely on NGOs to provide shelter, counseling, food, and rehabilitation to victims, and offered only limited in-kind government support. The government assumed direct budget responsibility for the country's only permanent shelter for child trafficking victims, including staff salaries, and provided psychologists to coordinate family reunification and assistance for an unknown number of trafficking victims, but continued to utilize technical and financial support from international organizations for victim support.

Officials continued to operate facilities in more than 215 police stations and 22 "Victims of Violence" centers throughout the country offering temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; however, it remained unclear whether trafficking victims benefited from these services in 2014. The anti-trafficking law requires police protection for victims assisting in the investigation and prosecution of trafficking offenders; however, it is unclear if such protections were utilized during the year. The Ministry of Justice's 2013 draft action plan to guide the efforts for victims' protection and outline implementation of the 2012 witness protection law—including trafficking victims who cooperate with law enforcement—remained unfinished and unimplemented for the second consecutive year. The multi-sectorial care mechanism, approved in 2012 to coordinate referral and protection for female victims of violence, appeared to remain inoperative in 2014. The government did not provide temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution. The lack of formal identification procedures precluded the government from ensuring no trafficking victims were inadvertently penalized detained, fined, or jailed for unlawful acts committed as a result of having been subjected to trafficking.

PREVENTION

The government demonstrated modest efforts to prevent trafficking in persons. During the year, the government did not make progress in finalizing or submitting for approval the national anti-trafficking action plan or implementing regulations. Although the government lacked a single national body to coordinate anti-trafficking efforts across ministries, the attorney general's office continued to demonstrate leadership in overseeing national anti-trafficking efforts; it partnered with provincial governments to establish inter-ministerial "reference groups" in three remaining

provinces, which enabled complete national coverage. Consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, the "reference groups" served to coordinate regional efforts to address trafficking and other crimes. In 2014, government officials, in partnership with an NGO, conducted an awareness campaign for 150 members of a transportation association on how to recognize and report suspected trafficking cases. It also hosted seven anti-trafficking lectures for 600 government and civil sector personnel, which were coupled with training sessions on organ trafficking. Although the Ministry of Labor acknowledged that child labor is pervasive and often abusive, it employed an inadequate number of labor inspectors, who lacked training and resources to adequately monitor for child trafficking and other labor violations, especially on farms in rural areas. The government failed to reduce the demand for commercial sex acts during the year. It did not provide anti-trafficking training or guidance for its diplomatic personnel.

NAMIBIA: Tier 2 Watch List

Namibia is predominantly a country of origin and destination for children and, to a lesser extent, women subjected to forced labor and sex trafficking. Some victims are initially offered legitimate work for adequate wages, but eventually experience forced labor in urban centers and on commercial farms. Traffickers exploit Namibian children within the country through forced labor in agriculture, cattle herding, and domestic service, as well as prostitution in Windhoek and Walvis Bay. Foreign nationals from southern Africa and Europe are among the clientele of children in prostitution. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, these children are exploited in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes and, to a lesser extent, are exploited in prostitution. NGOs reported persons in prostitution being taken aboard foreign vessels off the Namibian coast, some of whom may be trafficking victims. Children from Angola, Zambia, and Zimbabwe are subjected to prostitution and forced labor in the fishing sector and in organized street vending in Windhoek and other cities. Angolan children may be brought to Namibia for forced labor in cattle herding or to sell drugs. There were reports of exploitative labor—perhaps including forced labor—involving foreign adults and Namibian adults and children in Chinese-owned retail, construction, and fishing operations.

The Government of Namibia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Namibia is placed on Tier 2 Watch List for a fourth consecutive year. Namibia was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and it has committed to devoting sufficient resources to implement that plan. The government continued its prosecution of an alleged sex trafficking offender initiated in 2012, as well as efforts to finalize draft anti-trafficking legislation. In January 2015, Parliament passed the Child Care and Protection Bill, which was enacted by presidential signature in April 2015,